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No. 10]

NEW DELHI, MARCH 5—MARCH 11, 2006, SATURDAY/PHALGUNA 14—PHALGUNA 20, 1927

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 28 फरवरी, 2006

का. आ. 901.—केन्द्र सरकार, दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 की अधिनियम संख्या 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए असम राज्य सरकार के राजनैतिक (सर्तकता स्कंध) विभाग द्वारा जारी दिनांक 8 नवम्बर, 2005 की दिसपुर की अधिसूचना संख्या पी.एल.ए.(5)163/2001/170-क द्वारा असम सरकार की सहमति से श्री जे.एस.एल. वसावा, (भारतीय प्रशासनिक सेवा), आयुक्त एवं सचिव, असम सरकार द्वारा करोड़ों रुपये इकट्ठे करने और उनके द्वारा आय के ज्ञात स्रोतों से अधिक चल और अचल परिसम्पत्ति अर्जित करने के क्रम में सरकारी सेवा में उनके द्वारा अपनाई गई कथित भ्रष्ट पद्धतियों से सम्बद्ध अपराधों का, भ्रष्टाचार निवारण अधिनियम, 1988 के संगत प्रावधानों के अन्तर्गत अन्वेषण करने और उपर्युक्त अपराध से जुड़े अथवा उससे संसक्त किन्हीं अपराधों, प्रयत्नों दुष्प्रेरणों

और षड्यंत्रों तथा उपर्युक्त अधिकारी द्वारा की गई वित्तीय अनियमितताओं के संबंध में किए गए किन्हीं अपराधों का अन्वेषण करने और दोषी व्यक्ति के विरुद्ध आपराधिक अभियोजन दायर करने के लिए एतद्वारा दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्ति और अधिकारिता का विस्तार सम्पूर्ण असम राज्य पर करती है।

[सं. 228/66/2005-एवीडी-II]

चन्द्र प्रकाश, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 28th February, 2006

S.O. 901.—In exercise of the powers conferred by Sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of State Government of Assam, Political (Vigilance Cell) Department vide Notification No. PLA (V) 163/2001/170 dated

Dispur, the 8th November, 2005, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Assam for investigation of the offences in connection with alleged corrupt practices in Government service by collecting crores of rupees and acquiring Movable and Immovable assets disproportionate to his known source of income by Shri J. S. L. Vasava, IAS, Commissioner & Secretary, Government of Assam under the relevant provisions of Prevention of Corruption Act, 1988 and for any other offence(s) attempts, abetments and conspiracies in relation to or in connection with the said offence and any offences committed in regard to financial irregularities done by the officer and lodging a criminal prosecution against the guilty person.

[No. 228/66/2005-AVD. II]

CHANDRA PRAKASH, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

(केन्द्रीय उत्पाद एवं सीमाशुल्क आयुक्त का कार्यालय)

कोचिन आयुक्तालय

कोचिन, 16 फरवरी, 2006

सं. 02/2006-कस्टम (एन.टी.)

का. आ. 902.—भारत सरकार, वित्त मंत्रालय, राजस्व विभाग, नई दिल्ली के दिनांक 01-07-1994 की अधिसूचना सं. 33/1994 कस्टम (एन.टी.) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैं, केरल राज्य, एरणाकुलम जिला के कणयन्नूर तालुक के कीचेरी गांव के सर्वेक्षण सं. 150/1, भाग-ब्लॉक 20 वाले 50 आर्स एवं 39 स्क्वायर मीटर्स (1 एकड़, 24 सेंट्स एवं 500 स्क्वायर लिंकस) के क्षेत्र की भू-संपत्ति शामिल आंबलूर पंचायत (कांजिरामट्टम पी ओ) में प्लाप्पिल्ली नामक स्थान को सीमाशुल्क अधिनियम, 1962 (1962 का 52) की धारा 9 के अंतर्गत भारत सरकार, वाणिज्य मंत्रालय के कोचिन विशेष आर्थिक क्षेत्र, काक्नाडु, कोचिन-37 के विकास आयुक्त द्वारा अनुमोदित मैसर्स डेकोर मैट्स (प्राइवेट) लिमिटेड, 11/77, कलवेट्टी रोड, कोच्ची-682001 द्वारा 100% निर्यात आधारित एकक गठित करने के सीमित प्रयोजन के लिए एतद्वारा भंडगारण क्षेत्र घोषित करता हूँ।

[फा. सी सं. VIII/48/04/06-कस(टी)]

पी. अय्यम पेरुमाल, आयुक्त

MINISTRY OF FINANCE

(Department of Revenue)

(OFFICE OF THE COMMISSIONER OF CENTRAL

EXCISE AND CUSTOMS

COCHIN) COMMISSIONERATE

Cochin, the 16th February, 2006

No. 02/2006-CUSTOMS (NT)

S. O. 902.—In exercise of the powers conferred under Section 9 of the Customs Act, 1962 as delegated

by Notification No. 33/1994 Cus (NT) dated 1-7-1994 of the Government of India, Ministry of Finance, Department of Revenue, New Delhi, I hereby declare the place Plappilly in Amballoor Panchayat (Kanjiramattom P.O.) comprising the landed property of area extending 50 Ares and 39 Sq. Mtrs (One Acre 24 cents and 500 sq. links) bearing Survey No. 150/1 part—Block 20 of Keecherry Village of Kanayannoor Taluk in Ernakulam District in the State of Kerala to be a warehousing station under Section 9 of Customs Act, 1962 (52 of 1962) for the limited purpose of setting up of 100 % Export Oriented Unit by M/s Decor Mats (Pvt) Ltd., 11/77, Calvetty Road, Kochi -682001 as approved by the Development Commissioner, Government of India, Ministry of Commerce, Cochin Special Economic Zone, Kakkanad, Cochin-37.

[F. C. No. VIII/48/04/06-Cus (T)]

P. AYYAM PERUMAL, Commissioner

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 8 फरवरी, 2006

आयकर

का. आ. 903.—एतद्वारा आम सूचना के लिए यह अधिसूचित किया जाता है कि केन्द्र सरकार निम्नलिखित शर्तों के अधीन वैज्ञानिक अनुसंधान संघ (अनन्य रूप से अनुसंधान के विद्यमान) की श्रेणी के अन्तर्गत दिनांक 1-4-2003 से 31-3-2006 तक की अवधि के लिए आयकर नियमावली, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनार्थ संगठन टाटा इंस्टीच्यूट ऑफ फंडामेंटल रिसर्च, होमी भाभा रोड, मुम्बई-400 005 को अनुमोदित करती है :—

- (i) अनुमोदित संगठन अपने अनुसंधान कार्य-कलापों का लेखा अलग रखेगा।
- (ii) प्रत्येक वित्तीय वर्ष के लिए जिसके लिए यह अनुमोदन प्रदान किया जा रहा है, अनुमोदित संगठन अनुसंधान कार्य-कलापों के संबंध में जिसके लिए इसे आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के अन्तर्गत अनुमोदन प्रदान किया गया है, क्षेत्राधिकार वाले आयकर आयुक्त/आयकर निदेशक (छूट) को अपने आय व्यय के लेखापरीक्षित लेखा की प्रति आय की विवरणी दायर करने की तारीख को या उससे पहले अथवा 90 दिनों के अन्दर जो भी बाद में हो, प्रस्तुत करेगा।
- (iii) अनुमोदित संगठन उपर्युक्त पैरा (ii) में उल्लिखित आय तथा व्यय लेखा के साथ लेखा परीक्षक से प्राप्त एक प्रमाणपत्र भी संलग्न करेगा जिसमें :—
- (क) वैज्ञानिक अनुसंधान/सांख्यिकीय अनुसंधान के लिए संगठन द्वारा प्राप्त की गई उस राशि का उल्लेख होगा, जिसके संबंध में दाता धारा 35 की उपधारा (1) के खंड (ii) के तहत छूट का दावा करने के लिए पात्र होंगे।

(ख) यह प्रमाणित करना कि किया गया व्यय सामाजिक विज्ञान/सांख्यिकीय अनुसंधान के लिए ही था।

[अधिसूचना सं. 28/2006/फा. सं. 203/39/2004-
आ.क.नि. II]

निधि सिंह, अवर सचिव

(CENTRAL BOARD OF DIRECT TAXES)

New Delhi, the 8th February, 2006

INCOME-TAX

S. O. 903.—It is hereby notified for general information that the organization Tata Institute of Fundamental Research, Homi Bhabha Road, Mumbai-400 005 has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income Tax Act, 1961, read with Rule 6 of the Income Tax Rules, 1962 for the period from 1-4-2003 to 31-3-2006 under the category of scientific research association (existing solely for research) subject to the following conditions :—

- (i) The approved organization shall maintain separate accounts for its research activities.
- (ii) For each of the financial years for which this approval is being given, the approved organization shall submit a copy of its audited Income & Expenditure account in respect of the research activities for which it has been approved under sub-section (1) of Section 35 of I.T. Act, 1961 to the Commissioner of Income Tax/Director of Income Tax (Exemptions) having jurisdiction, on or before the due date of filing of return of income or within 90 days from the date of this notification, whichever expires later.
- (iii) The approved organization shall also enclose with the Income and Expenditure account referred to in paragraph (ii) above, a certificate from the auditor :—
 - (a) specifying the amount received by the organization for scientific research/statistical research in respect of which the donors are eligible to claim deduction under clause (ii) of sub-section (1) of Section 35.
 - (b) certifying that the expenditure incurred was for research in social science/statistical research.

[Notification No. 28/2006/ F. No. 203/39/2004-ITA-II]

NIDHI SINGH, Under Secy.

नई दिल्ली, 28 फरवरी, 2006

आयकर

का. आ. 904.—सर्वसाधारण की जानकारी के लिए एतद्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर निम्नलिखित,

1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनार्थ दिनांक 1-4-2003 से दिनांक 31-3-2006 तक की अवधि के लिए संगठन दि पेट्रोलियम कन्जर्वेशन रिसर्च एसोसिएशन, नई दिल्ली को आंशिक रूप से अनुसंधान में संलग्न "संस्था" श्रेणी के अन्तर्गत निम्नलिखित शर्तों के अधीन अनुमोदित करती है :—

- (i) अनुमोदित संगठन अपने अनुसंधान कार्य-कलापों के लिए अलग खाते रखेगा।
- (ii) वित्तीय वर्षों के प्रत्येक वर्ष के लिए जिसके लिए यह अनुमोदन प्रदान किया जा रहा है, अनुमोदित संगठन अनुसंधान कार्य-कलापों के संबंध में लेखा परीक्षित आय एवं व्यय खाते की एक प्रति इसके क्षेत्राधिकार वाले आयकर आयुक्त/आयकर निदेशक (छूट) को आय कर विवरणी दाखिल करने की नियत तारीख को अथवा उससे पहले अथवा इस अधिसूचना की तारीख से 90 दिनों के अन्दर, जो भी बाद में समाप्त हो, प्रस्तुत करेगा, जिसके लिए इसे आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के अन्तर्गत अनुमोदन प्रदान किया गया है।
- (iii) यह संगठन अनुमोदित उपर्युक्त पैरा (ii) में संदर्भित आय तथा व्यय खाते के साथ लेखा परीक्षक से प्राप्त एक प्रमाणपत्र भी संलग्न करेगा :—

(क) जिसमें संगठन द्वारा सामाजिक अनुसंधान के लिए प्राप्त की गई उस राशि का उल्लेख किया गया हो, जिसके लिए दानकर्ता धारा 35 की उपधारा (1) उप खंड (ii) के अन्तर्गत कटौती का दावा करने के लिए पात्र हैं।

(ख) जिसमें यह प्रमाणित किया गया हो कि किया गया व्यय वैज्ञानिक अनुसंधान के लिए ही था।

[अधिसूचना सं. 37/2006/फा. सं. 203/13/2005-
आयकर नि. II]

दीपक गर्ग, अवर सचिव

New Delhi, the 28th February, 2006

INCOME-TAX

S. O. 904.—It is hereby notified for general information that the organization M/s. The Petroleum Conservation Research Association, New Delhi has been approved by the Central Government for the purpose of clause (ii) of Sub-section (1) of Section 35 of the Income Tax Act, 1961, read with Rule 6 of the Income Tax Rules, 1962 for the period from 1-4-2003 to 31-3-2006 under the category of "Institution" partly engaged in research subject to the following conditions :—

- (i) The approved organization shall maintain separate accounts for its research activities.

- (ii) For each of the financial years for which this approval is being given, the approved organization shall submit a copy of its audited Income & Expenditure account in respect of the research activities for which it has been approved under sub-section (1) of Section 35 of I.T. Act, 1961 to the Commissioner of Income Tax/Director of Income Tax (Exemptions) having jurisdiction, on or before the due date of filing of return of income or within 90 days from the date of this notification, whichever expires later.
- (iii) The approved organization shall also enclose with the Income and Expenditure account referred to in paragraph (ii) above, a certificate from the auditor :—
- (a) specifying the amount received by the organization for scientific research in respect of which the donors are eligible to claim deduction under clause (ii) of sub-section (1) of Section 35.
- (b) certifying that the expenditure incurred was for scientific research.

[Notification No. 37/2006/F. No. 203/13/2005-ITA-II]

DEEPAK GARG, Under Secy.

नई दिल्ली, 28 फरवरी, 2006

आयकर

का. आ. 905.—सर्वसाधारण की जानकारी के लिए एतद्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनार्थ “विश्वविद्यालय, कॉलेज अथवा अन्य संस्था” जो अंशतः अनुसंधान कार्यकलापों में कार्यरत है, (और न कि अनुसंधान के लिए मौजूद एक मात्र ‘वैज्ञानिक अनुसंधान संघ’ के रूप में है), की श्रेणी के अन्तर्गत दिनांक 1-4-2001 से दिनांक 31-3-2004 तक की अवधि के लिए नेशनल काउंसिल आफ साइंस म्युजियम, कोलकाता को संस्था की श्रेणी के अन्तर्गत निम्नलिखित शर्तों के अधीन अनुमोदित करती है :—

- (i) अनुमोदित संगठन अपने अनुसंधान कार्य-कलापों के लिए अलग खाते रखेगा।
- (ii) वित्तीय वर्षों के प्रत्येक वर्ष के लिए जिसके लिए यह अनुमोदन प्रदान किया जा रहा है, अनुमोदित संगठन अनुसंधान कार्य-कलापों के संबंध में लेखा परीक्षित आय एवं व्यय खाते की एक प्रति इसके क्षेत्राधिकार वाले आयकर आयुक्त/आयकर निदेशक (छूट) को आयकर विवरणी दाखिल करने की नियत तारीख को अथवा उससे पहले अथवा इस अधिसूचना की तारीख से 90 दिनों के अन्दर, जो भी बाद में समाप्त हो, प्रस्तुत करेगा, जिसके लिए इसे आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के अन्तर्गत अनुमोदन प्रदान किया गया है।

- (iii) यह संगठन अनुमोदित उपर्युक्त पैरा (ii) में सदर्भित आय एवं व्यय खाते के साथ लेखा परीक्षक से प्राप्त एक प्रमाणपत्र भी संलग्न करेगा जिसमें :—

- (क) जिसमें संगठन द्वारा सामाजिक अनुसंधान के लिए प्राप्त की गई उस राशि का उल्लेख किया गया हो, जिसके लिए दानकर्ता धारा 35 की उपधारा (1) के उप खंड (ii) के अन्तर्गत कटौती का दावा करने के लिए पात्र हैं।
- (ख) जिसमें यह प्रमाणित किया गया हो कि किया गया व्यय वैज्ञानिक अनुसंधान के लिए ही था।

[अधिसूचना सं. 38/2006/फा. सं. 203/108/2003-
आयकर नि. II]

दीपक गर्ग, अवर सचिव

New Delhi, the 28th February, 2006

INCOME-TAX

S. O. 905.—It is hereby notified for general information that the organization M/s. National Council of Science Museum, Kolkata has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income Tax Act, 1961, read with Rule 6 of the Income tax Rules, 1962 for the period from 1-4-2001 to 31-3-2004 under the category of “University, College or other Institution” partly engaged in research activities (and not as a scientific research association existing solely for research) subject to the following conditions :—

- (i) The approved organization shall maintain separate accounts for its research activities.
- (ii) For each of the financial years for which this approval is being given, the approved organization shall submit a copy of its audited Income and Expenditure account in respect of the research activities for which it has been approved under sub-section (1) of Section 35 of I.T. Act, 1961 to the Commissioner of Income Tax/Director of Income Tax (Exemptions) having jurisdiction, on or before the due date of filing of return of income or within 90 days from the date of this notification, whichever expires later.
- (iii) The approved organization shall also enclose with the Income and Expenditure account referred to in paragraph (ii) above, a certificate from the auditor :—
- (a) specifying the amount received by the organization for scientific research in respect of which the donors are eligible to claim deduction under clause (ii) of sub-section (1) of Section 35.

- (b) certifying that the expenditure incurred was for scientific research.

[Notification No. 38/2006/F. No. 203/108/2003-ITA-II]

DEEPAK GARG, Under Secy.

आदेश

नई दिल्ली, 10 फरवरी, 2006

स्टाम्प

का. आ. 906.— भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा पाँवर फाइनेंस कॉर्पोरेशन लिमिटेड, नई दिल्ली को मात्र एक करोड़, उनतीस लाख, छियालीस हजार, तीन सौ रुपए का समेकित स्टाम्प शुल्क अदा करने की अनुमति देती है, जो उक्त निगम द्वारा जारी किए जाने वाले मात्र तीन सौ उनचास करोड़, नब्बे लाख रुपए के समग्र मूल्य के प्रत्येक दस लाख रुपए के 00000001 से 00003499 तक की विशिष्ट संख्या वाले ऋणपत्रों के स्वरूप वाले असुरक्षित विमोच्य गैर परिवर्तनीय गैर संचय कर योग्य बंधपत्रों XXIII श्रृंखला पर स्टाम्प शुल्क के कारण प्रभाय है।

[सं. 4/2006-स्टाम्प/फा. सं. 33/4/2006-बि.क.]

आर.जी. छाबड़ा, अवर सचिव

ORDER

New Delhi, the 10th February, 2006

STAMPS

S. O. 906.—In exercise of the powers conferred by clause (b) of sub-Section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits Power Finance Corporation Limited, New Delhi to pay consolidated stamp duty of rupees on crore twenty nine lakh forty six thousand three hundred only chargeable on account of the stamp duty on Unsecured Redeemable Non-Convertible Non Cumulative Taxable Bonds-XXIII Series in the nature of Debentures bearing distinctive number from 00000001 to 00003499 of rupees ten lakh each aggregating to rupees three hundred forty nine core ninety lakh only, to be issued by the said Corporation.

[No. 4/2006-STAMP/F. No. 33/4/2006-ST]

R.G. CHHABRA, Under Secy.

आदेश

नई दिल्ली, 10 फरवरी, 2006

स्टाम्प

का. आ. 907.— भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा सेन्चूरियन बैंक, मुम्बई को मात्र एक लाख पचास हजार रुपए का समेकित स्टाम्प शुल्क अदा करने की अनुमति प्रदान करती है, जो उक्त बैंक द्वारा जारी किए जाने वाले मात्र चार करोड़ रुपए के समग्र मूल्य के प्रत्येक दस लाख रुपए के

ऋणपत्रों के स्वरूप वाले असुरक्षित गैर परिवर्तनीय विमोच्य गौण बंधपत्रों (श्रृंखला-ई) पर स्टाम्प शुल्क के कारण प्रभाय है।

[सं. 5/2006-स्टाम्प/फा. सं. 33/05/2006-बि.क.]

आर.जी. छाबड़ा, अवर सचिव

ORDER

New Delhi, the 10th February, 2006

STAMPS

S. O. 907.—In exercise of the powers conferred by clause (b) of sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits Centurion Bank, Mumbai to pay consolidated stamp duty of rupees one lakh fifty thousand only chargeable on account of the stamp duty on unsecured non-convertible redeemable subordinated bonds (Series-E) in the nature of debentures of rupees ten lakh each aggregating to rupees four crore only, to be issued by the said Bank.

[No. 5/2006-STAMP/F. No. 33/5/2006-ST]

R.G. CHHABRA, Under Secy.

आर्थिक कार्य विभाग

(बैंकिंग प्रभाग)

नई दिल्ली, 3 मार्च, 2006

का. आ. 908.— राष्ट्रीयकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा 3(ज) और (3क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री मौलिन ए वैष्णव, निवासी 8, आनंद नगर सोसायटी, न्यू इंडिया मील के निकट, जेतलपुर रोड, वडोदरा, गुजरात-390 007 को अधिसूचना जारी होने की तारीख से तीन वर्ष की अवधि के लिए अथवा उनके स्थान पर किसी अन्य व्यक्ति को नामित किए जाने तक, जो भी पहले हो, बैंक ऑफ बड़ौदा के बोर्ड में अंशकालिक, गैर-सरकारी निदेशक के रूप में नामित करती है।

[फा.सं. 9/29/2005-बीओ-1]

जी.बी. सिंह, अवर सचिव

Department of Economic Affairs

(Banking Division)

New Delhi, the 3rd March, 2006

S. O. 908.—In exercise of the powers conferred by sub-section 3(h) and (3-A) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with sub-clause (1) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby nominates Shri Maulin A. Vaishnav, resident of 8, Anand Nagar Society, Near New India Mill, Jetalpur Road, Vadodara, Gujarat-390 007, as part-time non-official Director of Bank of Baroda for a period of three years from the date

of notification or until his successor is nominated, whichever is earlier.

[F. No. 9/29/2005-BO-I]

G. B. SINGH, Under Secy.

नई दिल्ली, 3 मार्च, 2006

का. आ. 909.—राष्ट्रीयकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा 3(ज) और (3क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री रोमेश सभरवाल, निवासी ए 2/3, एम एस फ्लैट्स, पेशवा रोड, गोल मार्किट, नई दिल्ली-110001 को अधिसूचना जारी होने की तारीख से तीन वर्ष की अवधि के लिए अथवा उनके स्थान पर किसी अन्य व्यक्ति को नामित किए जाने तक, जो भी पहले हो, सेंट्रल बैंक ऑफ इंडिया के बोर्ड में अंशकालिक, गैर-सरकारी निदेशक के रूप में नामित करती है।

[फा० सं० 9/33/2005-बीओ-I]

जी.बी. सिंह, अवर सचिव

New Delhi, the 3rd March, 2006

S. O. 909.—In exercise of the powers conferred by sub-section 3(h) and (3-A) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with sub-clause (1) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby nominates Shri Romesh Sabharwal, resident of A-2/3, M.S. Flats, Peshwa Road, Gole Market, New Delhi-110001 as part-time non-official Director on the Board of Central Bank of India for a period of three years from the date of notification or until his successor is nominated, whichever is earlier.

[F. No. 9/33/2005-BO-I]

G. B. SINGH, Under Secy.

कंपनी कार्य मंत्रालय

नई दिल्ली, 3 मार्च, 2006

का. आ. 910.—केन्द्रीय सरकार, सिगरेट और अन्य तंबाकू उत्पाद (विज्ञापन का प्रतिषेध और व्यापार तथा वाणिज्य, उत्पादन, प्रदाय और वितरण का विनियमन) अधिनियम, 2003 की धारा 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए नीचे दी गई सारणी के स्तंभ (3) में उपदर्शित अधिकारियों को सार्वजनिक स्थानों पर धूम्रपान के प्रतिषेध को कार्यान्वित करने के लिए प्राधिकृत करती है और जो उक्त अधिनियम की धारा 4 के अधीन कार्य करने के लिए सक्षम होंगे।

सारणी

क्रम सं.	कार्यालय	प्राधिकृत व्यक्ति
(1)	(2)	(3)
1.	कंपनी कार्य मंत्रालय पांचवां तल, 'ए' विंग डा. आर.पी. रोड, नई दिल्ली-110001	निदेशक (प्रशासन-I)
2.	क्षेत्रीय निदेशक (उत्तर) कंपनी कार्य मंत्रालय पीडीआईएल भवन, ए-14, सेक्टर-1, गौतम बुद्ध नगर, नोएडा (यूपी)-201 301	क्षेत्रीय निदेशक, (उत्तर)
3.	क्षेत्रीय निदेशक (पूर्व) कंपनी कार्य मंत्रालय, निजाम प्लेस, 2 एम.एस.ओ. भवन, दूसरा तल, 234/4, आचार्य जे.सी. बोस रोड, कोलकाता-700 020	क्षेत्रीय निदेशक, (पूर्व)
4.	क्षेत्रीय निदेशक (दक्षिण) कंपनी कार्य मंत्रालय, शास्त्री भवन, पांचवां तल और 26 हैडोज रोड, चैन्नई, तमिलनाडु-600 006	क्षेत्रीय निदेशक, (दक्षिण)

(1)	(2)	(3)
5.	क्षेत्रीय निदेशक (पश्चिम) कंपनी कार्य मंत्रालय, एवरेस्ट पांचवां तल, 100, नेताजी सुभाष रोड, मुंबई, महाराष्ट्र-400 002	क्षेत्रीय निदेशक, (पश्चिम)
6.	कंपनी रजिस्ट्रार, हैदराबाद, कंपनी कार्य मंत्रालय, द्वितीय तल, सी.पी. डब्ल्यू. डी. भवन, केन्द्रीय सदन, सुल्तान, बाजार, कोटी, हैदराबाद आन्ध्र प्रदेश-500 195	कंपनी रजिस्ट्रार,
7.	कंपनी रजिस्ट्रार, पटना कंपनी कार्य मंत्रालय, मौर्य लोक कॉम्प्लेक्स, चौथा तल, 'ए' ब्लॉक डाक बंगला रोड, पटना, बिहार-800 001	कंपनी रजिस्ट्रार, पटना
8.	कंपनी रजिस्ट्रार, पुणे कंपनी कार्य मंत्रालय, पीएमटी भवन, पुणे स्टाक एक्सचेंज, तृतीय तल, डेक्कन जिमखाना पुणे-411004	कंपनी रजिस्ट्रार, पुणे
9.	कंपनी रजिस्ट्रार, गोवा कंपनी कार्य मंत्रालय, प्लॉट नं. 21, ईडीसी कॉम्प्लेक्स, पट्टो पणजी, गोवा-403001	कंपनी रजिस्ट्रार-सह-कार्यालय समापक, गोवा
10.	कंपनी रजिस्ट्रार, जम्मू कंपनी कार्य मंत्रालय, 405 से 40, बहु प्लाजा, चौथा तल, साउथ ब्लॉक, राय हेड कॉम्प्लेक्स, जम्मू-180012	कंपनी रजिस्ट्रार-सह-कार्यालय समापक, जम्मू
11.	कंपनी रजिस्ट्रार, केरल कंपनी कार्य मंत्रालय, प्रथम तल, कंपनी लॉ भवन, बीएमसी रोड, धृक्काकारा (पी.ओ.) कोची, केरल-682021	कंपनी रजिस्ट्रार, एणाकुलम
12.	कंपनी रजिस्ट्रार, महाराष्ट्र कंपनी कार्य मंत्रालय, एवरेस्ट 100, मेरिन ड्राईव, मुंबई, महाराष्ट्र-400 002	कंपनी रजिस्ट्रार, (मुंबई)

(1)	(2)	(3)
13.	कंपनी रजिस्ट्रार, पांडिचेरी कंपनी कार्य मंत्रालय, 35 एलेनो III क्रॉस नगर प्रथम तल, पांडिचेरी-605011	कंपनी रजिस्ट्रार, पांडिचेरी
14.	कंपनी रजिस्ट्रार, जयपुर कंपनी कार्य मंत्रालय, 132, विजय नगर, करतारपुरा, नया करतारपुरा रेलवे स्टेशन, जयपुर-302008	कंपनी रजिस्ट्रार, जयपुर
15.	कंपनी रजिस्ट्रार, कोलकाता कंपनी कार्य मंत्रालय, निजाम प्लेस, II, एम. एस.ओ. भवन, द्वितीय तल, 234/4, आचार्य जगदीश चंद्र बोस रोड, कोलकाता-700020	कंपनी रजिस्ट्रार, कोलकाता
16.	कंपनी रजिस्ट्रार, शिलांग कंपनी कार्य मंत्रालय, मोरेलो भवन, भूतल, कचहरी रोड, शिलांग-793001	कंपनी रजिस्ट्रार, शिलांग
17.	कंपनी रजिस्ट्रार, कटक कंपनी कार्य मंत्रालय, चलचित्र भवन, द्वितीय तल, बक्सो बाजार, कटक, उड़ीसा-753001	कंपनी रजिस्ट्रार, कटक
18.	कंपनी रजिस्ट्रार, चैन्नई कंपनी कार्य मंत्रालय, शास्त्री भवन, द्वितीय हैडोज रोड, चैन्नई, तमिलनाडु-600006	कंपनी रजिस्ट्रार, चैन्नई
19.	कंपनी रजिस्ट्रार, कोयंबटूर कंपनी कार्य मंत्रालय, कोयंबटूर स्टॉक एक्सचेंज भवन, दूसरा 683, ट्राईसिटी रोड, सिंगानालार, कोयंबटूर-641005	कंपनी रजिस्ट्रार, कोयंबटूर
20.	कंपनी रजिस्ट्रार, बंगलौर कंपनी कार्य मंत्रालय, "ई" विंग, द्वितीय तल, केन्द्रीय सदन, कोरामनाला, कर्नाटक-34	कंपनी रजिस्ट्रार, बंगलौर

(1)	(2)	(3)
21.	कंपनी रजिस्ट्रार, अहमदाबाद कंपनी कार्य मंत्रालय, आरओसी भवन, रूपल पार्क के सामने, एनआर अंकुर बस स्टैंड, नारनपुरा, अहमदाबाद-380013	कंपनी रजिस्ट्रार, अहमदाबाद
22.	कंपनी रजिस्ट्रार, ग्वालियर, कंपनी कार्य मंत्रालय, "ए" ब्लॉक, संजय कांफ्लेक्स, तृतीय तल, जयेन्द्र गंज, ग्वालियर-474009	कंपनी रजिस्ट्रार, ग्वालियर,
23.	कंपनी रजिस्ट्रार, जालंधर कंपनी कार्य मंत्रालय, पंजाब, चंडीगढ़, कोठी सं. 286 डिफेंस कालोनी, जालंधर-144001	कंपनी रजिस्ट्रार, जालंधर
24.	कंपनी रजिस्ट्रार, कानपुर कंपनी कार्य मंत्रालय, 37/17, वेस्ट कोट भवन, दि माल, कानपुर, उत्तर प्रदेश-208001	कंपनी रजिस्ट्रार, कानपुर
25.	कंपनी रजिस्ट्रार, दिल्ली और हरियाणा कंपनी कार्य मंत्रालय, बी-ब्लॉक, पर्यावरण भवन, सीजीओ कांफ्लेक्स, नई दिल्ली-110003	कंपनी रजिस्ट्रार, दिल्ली और हरियाणा
26.	कार्यालय समापक, दिल्ली दिल्ली उच्च न्यायालय से सहबद्ध ए-2, डब्ल्यू2, कर्जन रोड, बैरेकस, कस्तूरबा गांधी मार्ग, नई दिल्ली-110001	कार्यालय समापक, दिल्ली
27.	कार्यालय समापक, चंडीगढ़ पंजाब, हरियाणा और हिमाचल प्रदेश उच्च न्यायालय से सहबद्ध एस.सी.ओ. सं. 9 द्वितीय तल, सेक्टर-26, चंडीगढ़-160 019	कार्यालय समापक, चंडीगढ़
28.	कार्यालय समापक, जयपुर राजस्थान उच्च न्यायालय से सहबद्ध बी-75/ए, राजेन्द्र मार्ग, बापू नगर, जयपुर-302015	कार्यालय समापक, जयपुर

(1)	(2)	(3)
29.	कार्यालय समापक, इलाहाबाद, उत्तर प्रदेश उच्च न्यायालय से सहबद्ध 33, ताशकंत मार्ग, सिविल लाईन्स, इलाहाबाद-211001	कार्यालय समापक, इलाहाबाद
30.	कार्यालय समापक, कटक, उड़ीसा उच्च न्यायालय से सहबद्ध चलचित्र भवन, द्वितीय तल, बक्सी बाजार, कटक-753001	कार्यालय समापक, कटक
31.	कार्यालय समापक, कोलकाता, कोलकाता उच्च न्यायालय से सहबद्ध 9, पुराना पोस्ट आफिस स्ट्रीट, कोलकाता-700 001	कार्यालय समापक, कोलकाता
32.	कार्यालय समापक, पटना, पटना उच्च न्यायालय से सहबद्ध मौर्य लोक कॉम्प्लेक्स, ब्लॉक-ए, चौथा तल, डाक बंगला रोड, पटना-800001	कार्यालय समापक, पटना
33.	कार्यालय समापक, हैदराबाद, आन्ध्र प्रदेश, उच्च न्यायालय से सहबद्ध 3-5-398, प्रथम तल, केन्द्रीय सदन, सुल्तान बाजार कोठी, हैदराबाद-5000195	कार्यालय समापक, हैदराबाद
34.	कार्यालय समापक, चैन्नई चैन्नई उच्च न्यायालय से सहबद्ध कुरालगाम, ब्लॉक- , प्रथम तल, एस्प्लानेड, चैन्नई-600108	कार्यालय समापक
35.	कार्यालय समापक, केरल, केरल, उच्च न्यायालय से सहबद्ध कंपनी लॉ भवन, बीएमसी रोड, थिक्काकारा पी. ओ. कोचीन-682 021	कार्यालय समापक, एर्णाकुलम
36.	कार्यालय समापक, बंगलौर, कर्नाटक उच्च न्यायालय से सहबद्ध चौथा तल, डी एंड एफ विंग, केन्द्रीय सदन, कोरामंगला, बंगलौर-560 034	कार्यालय समापक,
37.	कार्यालय समापक, जम्मू-कश्मीर, जम्मू उच्च न्यायालय से सहबद्ध बहु प्लाजा, साउथ ब्लॉक, राय हेड कॉम्प्लेक्स, जम्मू-180001	कंपनी रजिस्ट्रार-सह-कार्यालय समापक, जम्मू-कश्मीर

(1)	(2)	(3)
38.	कार्यालय समापक, मुंबई, बम्बई उच्च न्यायालय से सहबद्ध बैंक ऑफ इंडिया भवन, पांचवां तल, महात्मा गांधी रोड, मुम्बई-400023	कार्यालय समापक, मुंबई
39.	कार्यालय समापक, अहमदाबाद, गुजरात उच्च न्यायालय से सहबद्ध जीवाभाई चेंबर, आश्रम रोड के पीछे, नवरंग पुरा, अहमदाबाद	कार्यालय समापक, अहमदाबाद,
40.	कार्यालय समापक, इंदौर, मध्य प्रदेश और छत्तीसगढ़ उच्च न्यायालय से सहबद्ध प्रथम तल, पुराना सीआईए भवन, जीपीओ कैंपस के सामने, रेसीडेंसी एरिया, इंदौर-452001	कार्यालय समापक
41.	कार्यालय समापक, नागपुर, नागपुर स्थित मुंबई उच्च न्यायालय से सहबद्ध नया सचिवालय भवन, द्वितीय तल, ईस्ट विंग, सिविल लाईन्स, नागपुर-440001	कार्यालय समापक, नागपुर

[फा. सं. डी-33016/5/2004-सा.]

वाई.एस. मलिक, संयुक्त सचिव

MINISTRY OF COMPANY AFFAIRS

New Delhi, the 3rd March, 2006

S. O. 910.—In exercise of the powers conferred by Section 25 of the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003, the Central Government hereby authorises the officers indicated in column (3) of the Table given below to implement the prohibition of smoking in public places and who shall be competent to act under Section 4 of the said Act.

TABLE

Sl. No.	Office	Authorised Person
(1)	(2)	(3)
1.	Ministry of Company Affairs, 5th Floor, 'A' Wing' Dr. R.P. Road, New Delhi-110001	Director (Administration-I)
2	Regional Director (North), Ministry of Company Affairs, PDIL Bhawan, A-14, Sector-I Gautam Budh Nagar, Noida (UP)-201301.	Regional Director (North)

(1)	(2)	(3)
3.	Regional Director (East), Ministry of Company Affairs, Nizam Place, II M.S.O. Building, 2nd Floor, 234/4, Acharya J.C. Bose Road, Kolkata-700 020	Regional Director (East)
4.	Regional Director (South), Ministry of Company Affairs, Shastri Bhawan, 5th and 26 Haddows Road, Chennai Tamilnadu-600 006	Regional Director (South)
5.	Regional Director (West), Ministry of Company Affairs, Everest 5th floor, 100, Netaji Subhash Road, Mumbai-Maharashtra-400 002	Regional Director (West)
6.	Registrar of Companies, Hyderabad Ministry of Company Affairs, 2nd Floor, CPWD Building, Kendriya Sadan, Sultan Bazar, Koti, Hyderabad, Andhra Pradesh-500 195	Registrar of Companies, Hyderabad
7.	Registrar of Companies, Patna, Ministry of Company Affairs, Mourya Lok Complex, 4th Floor, 'A' Block, Dak Banglow Road, Patna, Bihar-800 001	Registrar of Companies, Patna
8.	Registrar of Companies, Pune, Ministry of Company Affairs, PMT Building, Pune Stock Exchange, 3rd Floor, Deccan Gymkhana, Pune-411 004	Registrar of Companies, Pune
9.	Registrar of Companies, Goa, Ministry of Company Affairs, Plot No. 21, EDC Complex, Patto Panaji, Goa-403001	Registrar of Companies-cum-Office Liquidator Goa
10.	Registrar of Companies, Jammu, Ministry of Company Affairs, 40/5 to 40, Bahu Plaza, 4th Floor, Sue. Block, Rai Head Complex, Jammu-180012	Registrar of Companies-cum-Office Liquidator Jammu
11.	Registrar of Companies, Kerala, Ministry of Company Affairs, 1st Floor, Company Law Bhawan, BMC Road, Thrikkakara (P.O.) Co Kerala-682021	Registrar of Companies, Eranakulam

(1)	(2)	(3)
12.	Registrar of Companies, Maharashtra, Ministry of Company Affairs, Everest, 100 Marine Drive, Mumbai, Maharashtra-400002	Registrar of Companies, Mumbai
13.	Registrar of Companies, Pondicherry, Ministry of Company Affairs, 35, Elango III Cross Nagar, 1st Floor, Pondicherry-605011	Registrar of Companies, Pondicherry
14.	Registrar of Companies, Jaipur, Ministry of Company Affairs, 132, Vijay Nagar, Kartarpura, New Kartarpura Railway Station, Jaipur-302008	Registrar of Companies, Jaipur
15.	Registrar of Companies, Kolkata, Ministry of Company Affairs, Nizam Place, II M. S.O. Building, 2nd floor, 234/4, Acharya Jagdish Chandra Bose Road, Kolkata-700020	Registrar of Companies, Kolkata
16.	Registrar of Companies, Shillong, Ministry of Company Affairs, Morello Building, Ground Floor, Kachari Road, Shillong-793001	Registrar of Companies, Shillong
17.	Registrar of Companies, Cuttack, Ministry of Company Affairs, Chalachitra Bhawan, 2nd Floor, Buxi Bazar, Cuttack, Orissa-753001	Registrar of Companies, Cuttack
18.	Registrar of Companies, Chennai, Ministry of Company Affairs, Shastri Bhawan, 2nd Haddows, Road, Chennai, Tamilnadu-600006	Registrar of Companies, Chennai
19.	Registrar of Companies, Coimbatore, Ministry of Company Affairs, Coimbatore Stock Exchange Building, 2nd 683, Tricity Road, Singanallur, Coimbatore-641005	Registrar of Companies, Coimbatore
20.	Registrar of Companies, Bangalore, Ministry of Company Affairs, "E" Wing, 2nd Floor, Kendriya Sadan, Koramanala, Karnataka-34	Registrar of Companies, Bangalore

(1)	(2)	(3)
21.	Registrar of Companies, Ahmedabad, Ministry of Company Affairs, ROC Bhawan, Opp. Rupal Park, NR Ankur Bus Stand, Naranpura, Ahmedabad-380013	Registrar of Companies, Ahmedabad
22.	Registrar of Companies, Gwalior, Ministry of Company Affairs, "A" Block, Sanjay Complex, 3rd Floor, Jayendra Ganj Gwalior-474 009	Registrar of Companies, Gwalior
23.	Registrar of Companies, Jalandhar, Ministry of Company Affairs, Punjab, Chandigarh, Kothi No. 286, Defence Colony, Jalandhar-144 001	Registrar of Companies, Jalandhar
24.	Registrar of Companies, Kanpur, Ministry of Company Affairs, 37/17, West Cott Building, The Mall, Kanpur, Uttar Pradesh-208 001	Registrar of Companies, Kanpur
25.	Registrar of Companies, Delhi & Haryana, Ministry of Company Affairs, B-Block, Paryavaran Bhawan, CGO Complex, New Delhi.	Registrar of Companies, Delhi & Haryana
26.	Office Liquidator, Delhi, Attached to the High Court of Delhi A2, W2, Curzon Road Barracks, Kasturba Gandhi Marg, New Delhi-110001	Official Liquidator, Delhi
27.	Office Liquidator, Chandigarh, Attached to the High Court of Punjab, Haryana & Himachal Pradesh, S.C.O. No. 9, 2nd Floor, Secort-26, Chandigarh-160 019	Official Liquidator, Chandigarh
28.	Office Liquidator, Jaipur, Attached to the High Court of Rajasthan, B-75/A, Rajendra Marg, Bapu Nagar, Jaipur-302015	Official Liquidator, Jaipur
29.	Office Liquidator, Allahabad, Attached to the High Court of Uttar Pradesh, 33, Tashkant Marg, Civil Lines, Allahabad-211001	Official Liquidator, Allahabad

(1)	(2)	(3)
30.	Office Liquidator, Cuttack, Attached to the High Court of Orissa, Chalachitra Bhawan, 2nd Floor, Buxi Bazar, Cuttack-753001	Official Liquidator, Cuttack
31.	Office Liquidator, Kolkata, Attached to the High Court of Kolkata, 9 Old Post Office Street, Kolkata-700 001	Official Liquidator, Kolkata
32.	Office Liquidator, Patna, Attached to the High Court of Patna, Maurya Lok Complex Block-A, 4th Floor, Dak Bungalow Road, Patna-800 001	Official Liquidator, Patna
33.	Office Liquidator, Hyderabad, Attached to the High Court of Andhra Pradesh, 3-5-398, 1st Floor, Kendriya Sadan, Sultan Bazar Koti, Hyderabad-5000 195	Official Liquidator, Hyderabad
34.	Office Liquidator, Chennai, Attached to the High Court of Chennai, Kuralagam, Block-1, 1st Floor, Esplanade, Chennai-600 108	Concerned Official Liquidator Chennai
35.	Office Liquidator, Kerala, Attached to the High Court of Kerala, Companies Law Bhawan, BMC Road, Thikkakara P.O. Cochine-682 021	Official Liquidator Emakulam
36.	Office Liquidator, Bangalore, Attached to the High Court of Karnataka, 4th Floor, D&F Wing, Kendriya Sadan, Koramangala, Bangalore-560 034	Official Liquidator Bangalore
37.	Office Liquidator, J&K, Attached to the High Court of Jammu, Bahu Plaza, South Block, Rai Head Complex, Jammu-180001	Registrar of Companies-cum-Office Liquidator J&K
38.	Office Liquidator, Mumbai, Attached to the High Court of Bombay, Bank of India Building, 5th Floor Mahatama Gandhi Road, Mumbai-400023	Official Liquidator Mumbai
39.	Office Liquidator, Ahmedabad, Attached to the High Court of Gujarat, Jivabhai Chamber, Behind Ashram Road, Navrang Pura, Ahmedabad	Official Liquidator Ahmedabad

(1)	(2)	(3)
40.	Office Liquidator, Indore Attached to the High Court of M.P. & Chhattisgarh, 1st Floor, Old CIA Building, Opp. GPO Campus, Residency Area, Indore-452001	Official Liquidator Indore
41.	Office Liquidator, Nagpur Attached to the High Court of Mumbai, At Nagpur, New Secretariat Building, 2nd Floor, East Wing, Civil Lines, Nagpur-440001	Official Liquidator Nagpur

[F. No. D-33016/5/2004-Gen.]

Y. S. MALIK, Jt. Secy.

परमाणु ऊर्जा विभाग

मुंबई, 20 फरवरी, 2006

का. आ. 911.—न्यूक्लियर पावर कारपोरेशन ऑफ इंडिया लिमिटेड (एनपीसीआईएल) द्वारा, कथित उपक्रमों के संपदा अधिकारी के रूप में नामित अधिकारियों के पदों के पदनाम में परिवर्तन कर दिए जाने के परिणामस्वरूप, सार्वजनिक परिसर (अनधिकृत दखल से बेदखली) अधिनियम, 1971 (वर्ष 1971 के अधिनियम सं. 40) के खंड 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के परमाणु ऊर्जा विभाग के दिनांक 18-02-1991 के एसओ संख्या 6/1(50)/898-पीपी/181, दिनांक 04-09-1996 के एसओ संख्या 1/11(33)/94-पावर/1332 और दिनांक 30-06-2004 के एसओ संख्या 1/11(33)/94-पावर/510 की अधिसूचनाओं के अधिक्रमण में, केंद्रीय सरकार एतद्वारा निम्नलिखित सारणी के कालम 2 में उल्लिखित अधिकारियों, जो सरकार के राजपत्रित अधिकारी की श्रेणी के समकक्ष अधिकारी हैं, को उक्त अधिनियम के प्रयोजनार्थ संपदा अधिकारी के रूप में नियुक्त करती है और उक्त अधिकारी सारणी के कालम संख्या 3 में निर्दिष्ट सार्वजनिक परिसरों के संबंध में अपने क्षेत्राधिकार के अंतर्गत स्थानीय सीमाओं में उक्त अधिनियम के द्वारा या उसके तहत संपदा अधिकारियों को प्रदत्त शक्तियों का प्रयोग तथा निर्धारित कर्तव्यों का निर्वहन करेंगे।

सारणी

क्रम संख्या	अधिकारी का पदनाम	सार्वजनिक परिसरों की श्रेणियाँ तथा क्षेत्राधिकार की स्थानीय सीमाएं
(1)	(2)	(3)
1.	उप महा प्रबंधक (मानव संसाधन) या वरि. प्रबंधक (मानव संसाधन) या प्रबंधक (मानव संसाधन) नरोरा परमाणु बिजलीघर, डाकघर-नरोरा, वाया-देबई, बुलंदशहर, उत्तर प्रदेश-202 397	न्यूक्लियर पावर कारपोरेशन ऑफ इंडिया लिमिटेड के स्वामित्व अथवा उनके प्रबंधन वाले, नरोरा परमाणु बिजलीघर, डाकघर नरोरा, वाया-देबई, बुलंदशहर, उत्तर प्रदेश के परिसर (कार्यालय एवं आवासीय)
2.	अपर महा प्रबंधक (मानव संसाधन) या उप महा प्रबंधक (मानव संसाधन) या वरि. प्रबंधक (मानव संसाधन) या प्रबंधक (मानव संसाधन), एनपीसीआईएल तारापुर, सगईट तारापुर जिला : ठाणे, महाराष्ट्र-401 504.	न्यूक्लियर पावर कारपोरेशन ऑफ इंडिया लिमिटेड के स्वामित्व अथवा उनके प्रबंधन वाले, एनपीसीआईएल तारापुर साईट, जिला : ठाणे, महाराष्ट्र राज्य के परिसर (कार्यालय एवं आवासीय)
3.	उप महा प्रबंधक (मानव संसाधन) या वरि. प्रबंधक (मानव संसाधन) या प्रबंधक (मानव संसाधन) काकरापार परमाणु बिजलीघर, डाकघर, गाँव-मोतीचेर, मांडवी तालुका, जिला : सूरत, गुजरात	न्यूक्लियर पावर कारपोरेशन ऑफ इंडिया लिमिटेड के स्वामित्व अथवा उनके प्रबंधन वाले काकरापार परमाणु बिजलीघर, गाँव-मोतीचेर और राजवाड, मांडवी तालुका में तथा गाँव ऊंचामाला, व्यारा तालुका, जिला : सूरत, गुजरात के परिसर (कार्यालय एवं आवासीय)

(1)	(2)	(3)
4.	अपर महा प्रबंधक (मानव संसाधन) या उप महा प्रबंधक (मानव संसाधन) या वरि. प्रबंधक (मानव संसाधन) या प्रबंधक (मानव संसाधन), एनपीसीआईएल रावतभाटा साइट, डाक : अणुशक्ति, वाया : कोटा, राजस्थान-323 303	न्यूक्लियर पावर कारपोरेशन ऑफ इंडिया लिमिटेड के स्वामित्व अथवा उनके प्रबंधन वाले, एनपीसीआईएल रावतभाटा राजस्थान राज्य के परिसर (कार्यालय एवं आवासीय)
5.	उप महा प्रबंधक (मानव संसाधन) या वरि. प्रबंधक (मानव संसाधन) या प्रबंधक (मानव संसाधन) कुडनकुलम परमाणु विद्युत परियोजना, डाक : कुडनकुलम, तालुका : राधापुरम, जिला : तिरुनेलवेली, तमिलनाडु-627 106	न्यूक्लियर पावर कारपोरेशन ऑफ इंडिया लिमिटेड के स्वामित्व अथवा उनके प्रबंधन वाले कुडनकुलम परमाणु विद्युत परियोजना, डाक : कुडनकुलम, तालुका : राधापुरम, जिला : तिरुनेलवेली, तमिलनाडु के परिसर (कार्यालय एवं आवासीय)
6.	उप महा प्रबंधक (मानव संसाधन) या वरि. प्रबंधक (मानव संसाधन) या प्रबंधक (मानव संसाधन) कैगा उत्पादन केंद्र, डाक : कैगा कारवार जिला : उत्तर कन्नडा, तालुका : कर्नाटक-581 301	न्यूक्लियर पावर कारपोरेशन ऑफ इंडिया लिमिटेड के स्वामित्व अथवा उनके प्रबंधन वाले कैगा बिजली उत्पादन केंद्र 1 और 2, तथा कैगा बिजली उत्पादन केंद्र 3 और 4, गाँव मलापुर, कैगा, कारवार, जिला : उत्तर कन्नडा, कर्नाटक के परिसर (कार्यालय एवं आवासीय)
7.	उप महा प्रबंधक (मानव संसाधन) या वरि. प्रबंधक (मानव संसाधन) या प्रबंधक (मानव संसाधन) मद्रास परमाणु बिजलीघर, डाक : कलपाक्कम, जिला : कांची पुरम, तमिलनाडु-603 102	न्यूक्लियर पावर कारपोरेशन ऑफ इंडिया लिमिटेड के स्वामित्व अथवा उनके प्रबंधन वाले मद्रास परमाणु बिजलीघर इकाई-1, और 2, कलपाक्कम, जिला : कांचीपुरम, तमिलनाडु के परिसर (कार्यालय एवं आवासीय)
	अपर महा प्रबंधक (मानव संसाधन) या उप महा प्रबंधक (मानव संसाधन) या वरि. प्रबंधक (मानव संसाधन) या प्रबंधक (मानव संसाधन), न्यूक्लियर पावर कारपोरेशन ऑफ इंडिया लिमिटेड, नाभिकीय ऊर्जा भवन/विक्रम सारा भाई भवन, अणु शक्ति नगर मुंबई-400 094.	न्यूक्लियर पावर कारपोरेशन ऑफ इंडिया लिमिटेड के स्वामित्व अथवा उनके प्रबंधन वाले, नाभिकीय ऊर्जा भवन, एनपीसीआईएल गेस्ट हाउस, अणुशक्ति नगर, वर्ल्ड ट्रेड सेंटर कार्यालय, बेलापुर भवन कार्यालय और भारत में विभिन्न जगहों पर स्थित संपर्क कार्यालय, गुणवत्ता निगरानी कार्यालय, रजिस्टर्ड कार्यालय इत्यादि के परिसर (कार्यालय एवं आवासीय)

[सं. 1/11(33)94-पावर/151]

के. रवीन्द्रन, उप सचिव

DEPARTMENT OF ATOMIC ENERGY

Mumbai, the 20th February, 2006

S.O. 911.—Consequent on the change effected by Nuclear Power Corporation of India Limited (NPCIL) in the designations of posts in respect of the officers appointed as Estate Officers in the said Undertaking, in exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (Act No. 40 of 1971) and in supersession of the notifications of the Govt. of India in the Department of Atomic Energy, S.O. No. 6/1(50)/898-PP/181 dated 18-02-1991, S.O. No. 1/11/(33)/94-Power/1332 dated the 4th September, 1996 and S.O. No. 1/11(33)/94-Power/510 dated 30-06-2004, the Central Government hereby appoints the following Officers mentioned in column 2 of the Table below being Officers equivalent to the rank of Gazetted Officers of the Government of India, to be Estate Officers for the purposes of the said Act who shall exercise the powers conferred and perform the duties imposed on the Estate Officers by or under the said Act within the local limits of their respective jurisdiction in respect of the public premises specified in column 3 of the said Table.

TABLE

Sl. No.	Designation of the Officer	Categories of the Public premises & local limits of jurisdiction
(1)	(2)	(3)
1.	Dy Gen. Manager (HR) or Sr. Manager (HR) or Manager (HR), Narora Atomic Power Station, P.O. Narora, Via: Debai, Bulandshahr, Uttar Pradesh-202397.	Premises (Office and Residential) belonging to or under the management of the Nuclear Power Corporation of India Limited at Narora Atomic Power Station, P.O. Narora, via: Debai, Bulandshahr, Uttar Pradesh.

(1)	(2)	(3)
2.	Additional General Manager (HR), or Dy. Gen. Manager (HR) or Sr. Manager (HR) or Manager (HR), NPCIL Tarapur Site, Tarapur, Dist: Thane, Maharashtra-401 504.	Premises (Office and Residential) belonging to or under the management of the Nuclear Power Corporation of India Limited at NPCIL Tarapur Site, Maharashtra State.
3.	Dy Gen. Manager (HR) or Sr. Manager (HR) or Manager (HR), Kakrapar Atomic Power Station, Village—Moticher, Mandvi Taluka, Dist. Surat, Gujarat.	Premises (Office and Residential) belonging to or under the management of the Nuclear Power Corporation of India Limited at kakrapar Atomic Power Station, in Village: Moticher Nanicher and Rajwad in the Mandvi Taluka and village Unchamala, Vyara Taluka, Dist. Surat, Gujarat.
4.	General Manager (HR), or Dy. Gen. Manager (HR) or Sr. Manager (HR) or Manager (HR), NPCIL Rawatbhata Site, P.O. Anushakti, Via. Kota, Rajasthan-323 303.	Premises (Office and Residential) belonging to or under the management of the Nuclear Power Corporation of India Limited at NPCIL Rawatbhata Rajasthan State.
5.	Dy. General Manager (HR), or Sr. Gen. Manager (HR) or Dy. Manager (HR) Kundankulam Nuclear Power Project, P.O. Kudankulam, Taluk: Radhapuram, District: Tirunelveli, Tamil Nadu-627106.	Premises (Office and Residential) belonging to or under the management of the Nuclear Power Corporation of India Limited at Kudankulam Nuclear Power Project, P.O. Kudankulam, Taluk: Radhapuram, District: Tirunelveli, Tamil Nadu.
6.	Additional General Manager (HR), or Sr. Manager (HR) or Dy. Manager (HR) Kaiga Generating Station, P.O. Kaiga, Karwar, Uttara kannada District, Karnataka-581 301.	Premises (Office and Residential) belonging to or under the management of the Nuclear Power Corporation of India Limited at Kaiga Generating Station-1 & 2 and Kaiga Project-3 & 4, Village Mallapur, Kaiga, Karwar in Uttara Kannada District of Karnataka.
7.	Additional General Manager (HR), or Sr. Manager (HR) or Dy. Manager (HR) Madras Atomic Power Station, P.O. Kalpakkam, Kancheepuram District, Tamil Nadu-603 102.	Premises (Office and Residential) belonging to or under the management of the Nuclear Power Corporation of India Limited at Madras Atomic Power Station Units-1 & 2 in Kalpakkam, Kancheepuram District, Tamil Nadu.
8.	Additional General Manager (HR), or Dy. Gen. Manager (HR) or Sr. Manager (HR) or Manager (HR) Nuclear Power Corporation of India Limited, Nabhihiya Urja Bhawan/Vikram Sarabhai Bhawan, Anushakti Nagar, Mumbai-400 094.	Premises (Office and Residential) belonging to or under the management of the Nuclear Power Corporation of India Limited at its Headquarters Office in Mumbai i.e. Nabhihiya Urja Bhawan, NPCIL Guest House, Anushakti Nagar, World Trade Centre Office, Belapur Bhawan Office and Liaison Officers, Quality Surveillance Offices, Registered Office etc. located at various places in India.

[No. 1/11(33)/94-Power/151]

K. RAVEENDRAN, Dy. Secy.

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 27 फरवरी, 2006

का. आ. 912.—रेल मंत्रालय (रेलवे बोर्ड), राजभाषा नियम 1976 (संघ के शासकीय प्रयोजनों के लिए प्रयोग) के नियम 10 के उपनियम (2) और (4) के अनुसरण में उत्तर रेलवे के मुरादाबाद मंडल के सहायक मंडल इंजीनियर कार्यालय, सीतापुर शहर को, जहां 80% से अधिक अधिकारियों/कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करता है।

[सं. हिंदी-2006/रा.भा. 1/12/1]

कृष्णा शर्मा, संयुक्त निदेशक, राजभाषा, रेलवे बोर्ड

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 27th February, 2006

S.O. 912.—Ministry of Railways (Railway Board), in pursuance of Sub-rule (2) and (4) of Rule 10 of the Official Language Rules, 1976 (use for the official purposes of the Union) hereby, notify the Assistant Divisional Engineer Office, Sitapur City of Muradabad Division of Northern Railway, where more than 80% Officers/Employees have acquired the working knowledge of Hindi.

[No. Hindi-2006/O.L. 1/12/1]

KRISHNA SHARMA, J. Director (O.L.) Railway Board

नागालैंड सरकार

(उद्योग एवं व्यापार विभाग)

कोहिमा, 22 नवम्बर, 2005

का. आ. 913.—दिनांक 21-12-1977 के भारतीय राजपत्र के द्वितीय भाग के तृतीय हिस्से में प्रकाशित प्रदत्त शक्तियों का उपभोग करते हुये श्री मोअंगवती अयर, निवासीय उपायुक्त नागालैंड हाऊस, नई दिल्ली जो नागालैंड सरकार के गजेटेड अधिकारी है, को उपर्युक्त कहे गये कानून के उद्देश्य के लिए परिसम्पत्ति अधिकारी बनाया जाता है जो अपने स्थानीय अधिकार क्षेत्र के अन्तर्गत उपर्युक्त कानून के तहत अपनी शक्तियों का उपयोग एवं सेवाओं का निर्वाह निम्नलिखित सारणी के द्वितीय कालम में बताये गये सरकारी भवनों में करेंगे :—

सारणी

अधिकारी का पद	राजकीय भवनों की श्रेणी एवं स्थानीय सीमायें
(1)	(2)
नागालैंड हाऊस के उपनिवासीय अधिकारी	नागालैंड सेल्स एम्पोरियम, बाबा खड्गसिंह मार्ग, नई दिल्ली

[सं. आई.डी.बी./एच.डी.-31/85]

अभिषेक सिंह, अतिरिक्त सचिव, नागालैंड सरकार

GOVERNMENT OF NAGALAND

(Industries and Commerce Department)

Kohima, the 22nd November, 2005

S.O. 913.—In exercise of the powers conferred on the State Government through a Gazette Notification dated 21-12-1997, Published in Extraordinary, Part-II, Section 3, Sub-section (ii) of Gazette of India on 28-11-1997, the Government of Nagaland hereby appoints Shri Maongwati Aier, the Deputy Residential Commissioner, Nagaland House, New Delhi being Gazetted Officer of the Government of Nagaland to be Estate Officer for the purpose of the said Act, who shall exercise the powers conferred and perform the duties imposed on Estate Officer by or under the said Act within the local limits of his jurisdiction in respect of the Public Premises specified in the corresponding entry in column 2 of the said Table

TABLE

Designation of the Officer	Category of Public Premises and local limits of jurisdiction
(1)	(2)
Deputy Residential Commissioner, Nagaland House	Nagaland Sales Emporium, Baba Kharak Singh Marg, New Delhi

[No. IDB/HD-31/85]

ABHISEK SINGH, Addl. Secy. to the Govt. of Nagaland

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य और परिवार कल्याण विभाग)

(दन्त शिक्षा अनुभाग)

नई दिल्ली, 24 फरवरी, 2006

का. आ. 914.—दन्त चिकित्सा अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार भारतीय दन्त चिकित्सा परिषद् के साथ परामर्श करने के पश्चात् एतद्द्वारा अधिनियम की अनुसूची के भाग-I में निम्नलिखित संशोधन करती है, अर्थात् :—

2. एन.टी.आर. यूनीवर्सिटी ऑफ हेल्थ साइंसेज, विजयवाड़ा, आन्ध्र प्रदेश के संबंध में दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची में भाग-1 में क्रम संख्या 50 के सामने कालम 2 एवं 3 की मौजूदा प्रविष्टियों के अन्तर्गत निम्नलिखित प्रविष्टियां रखी जाएं :—

(1)	(2)	(3)
III.	नारायण डेंटल कालेज, नेल्लोर बैचलर ऑफ डेंटल सर्जरी (जब 19-11-2005 या उसके बाद प्रदान की गई हो)	बीडीएस, एल.टी.आर., यूनिवर्सिटी ऑफ हेल्थ साइंसेज विजयवाड़ा, आन्ध्र प्रदेश
IV.	श्री साई कालेज ऑफ डेंटल साइंसेज, विकाराबाद, आन्ध्र प्रदेश बैचलर ऑफ डेंटल सर्जरी (जब 19-11-2005 या उसके बाद प्रदान की गई हो)	बीडीएस, एन.टी.आर., यूनिवर्सिटी ऑफ हेल्थ साइंसेज विजयवाड़ा, आन्ध्र प्रदेश
V	सिबर इन्स्टिट्यूट ऑफ डेंटल साइंसेज, गुंटूर बैचलर ऑफ डेंटल सर्जरी (जब 21-11-2005 या उसके बाद प्रदान की गई हो)	बीडीएस, एन.टी.आर., यूनिवर्सिटी ऑफ हेल्थ साइंसेज विजयवाड़ा, आन्ध्र प्रदेश।"

[सं. वी-12017/42/2000-पीएमएस (डी. ई.)]

ए. के. सिंह, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

(DENTAL EDUCATION SECTION)

New Delhi, the 24th February, 2006

S.O. 914.—In exercise of the powers conferred by Sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby makes the following amendments in Part-I of the Schedule to the said Act, namely :—

2. Under the existing entries of columns 2 and 3 against Serial No. 50, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to N.T.R. University of Health Sciences, Vijayawada, A.P., the following entries shall be inserted thereunder :—

III.	Narayana Dental College, Nellore Bachelor of Dental Surgery (When granted on or after 19-11-2005)	BDS, N.T.R. University of Health Sciences, Vijayawada, A.P.
IV.	Sri Sai College of Dental Surgery, Vikarabad (A.P.) Bachelor of Dental Surgery (When granted on or after 19-11-2005)	BDS, N.T.R. University of Health Sciences, Vijayawada, A.P.
V	Sibar Institute of Dental Sciences, Guntur Bachelor of Dental Surgery (When granted on or after 21-11-2005)	BDS, N.T.R. University of Health Sciences, Vijayawada, A.P."

[No. V-12017/42/2000-PMS (DE)]

A. K. SINGH, Under Secy.

पोत परिवहन, सड़क परिवहन और राजमार्ग मंत्रालय

(सड़क परिवहन और राजमार्ग विभाग)

नई दिल्ली, 1 मार्च, 2006

का.आ. 915.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में सड़क परिवहन और राजमार्ग विभाग के प्रशासनिक नियंत्रणाधीन राष्ट्रीय राजमार्ग अभियंता प्रशिक्षण संस्थान, नौएडा उत्तर प्रदेश को जिनके 80% से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[सं. ई. 11013/3/2006-हिन्दी]

सरोज कुमार दास, संयुक्त सचिव

MINISTRY OF SHIPPING, ROAD TRANSPORT AND HIGHWAYS

(Department of Road Transport and Highways)

New Delhi, 1st March, 2006

S.O. 915.—In pursuance of sub-rule (4) of Rule 10 of the Official Languages (Use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies the National Institute for Training of Highway Engineers under the Administrative Control of the Deptt. of Road Transport & Highways, 80% staff whereof have acquired the working knowledge of Hindi.

[No. F. 11013/3/2006-Hindi]

SAROJ KUMAR DASH, Jt. Secy.

मंत्रालय/डाक विभाग

वडोदरा, 1 मार्च, 2006

का.आ. 916.—जबकि केन्द्रीय सरकार का अभिप्राय है कि श्री पी.एस. चौधरी डाक सहायक बारडोली मुख्य डाकघर के विरुद्ध अनुशासनिक कार्यवाही के मामले में विभागीय जांच करने हेतु गवाह/साक्षी बुलाना जरूरी हैं।

- | | |
|--------------------------------------|---|
| 1. श्री हिमतशंकर मराठे। | नहेरूनगर, बाबेनजीन, बारडोली। |
| 2. श्री रसिकभाई रेवाभाई पटेल | सुगरकोलोनी, बारडोली। |
| 3. श्री रविन्द्रसिंह गुमानसिंह चौहान | मु. पांडा, पोस्ट : रायम, वरड, जिला : सुरत |

विभागीय जांच (साक्षी उपस्थिति अमलीकरण और दस्तावेज प्रस्तुत) नियम 4 के उपनियम (1) के अधिनियम 1972 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार श्री एन.डी. जोशी निवृत्त ए पी एम जी (स्टाफ), मुख्य डाक अध्यक्ष का कार्यालय, अहमदाबाद को श्री पी.एस. चौधरी डाक सहायक, बारडोली मुख्य डाकघर (वर्ग-3) के संबंध में उक्त धारा 5 में दर्शायी गई शक्तियों का प्रयोग करने हेतु जांच अधिकारी के रूप में प्राधिकृत किया जाता है।

[सं. एसटीए/11-विविध/पीसीएस]

ए. के. ए. जोशी, पोस्ट मास्टर जनरल, वडोदरा क्षेत्र

MINISTRY/DEPARTMENT OF POSTS

Vadodara, the 1st March, 2006

S. O. 916.—Whereas the Central Government is of opinion that for the purpose of the departmental inquiry relating to Shri P.S. Chaudhry, P.A. Bardoli H.O., it is necessary to summon as witnesses.

- | | |
|--|---|
| 1. Shri Himat Shankar Marathe | Nehrungar, Baden Jin, Bardoli. |
| 2. Shri Rasikbhai Revabhai Patel | Sugar Colony, Bardoli |
| 3. Shri Ravindrasinh Gumansinh Chauhan | At. Panda, Post : Rayam, Varad Dist. : Surat. |

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Departmental Inquiries (Enforcement of witnesses and production of documents) Act 1972 (18 of 1972) the Central Government hereby authorizes Shri N.D. Joshi, retired APMG (Staff) O/O Chief Postmaster General Gujarat Circle, Ahmedabad as the inquiring authority to

exercise the power specified in section 5 of the said Act in relation to Shri P.S. Chaudhry Postal Assistant Bardoli HO, a Group "C" Central Government Servant.

[No. STA/11-Misc./PSC]

A.K. A. JOSHI, Postmaster General, Vadodara Region

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

भारतीय मानक ब्यूरो

नई दिल्ली, 24 फरवरी, 2006

क्रा. आ. 917.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक (को) में संशोधन किया गया/किये गये हैं :—

अनुसूची

क्रम.	संशोधित भारतीय मानक (को) की संख्या संख्या वर्ष और शीर्षक	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 2148 : 2004/आईईसी 60079-1 (2001) विस्फोटोपी गैस पर्यावरणों के लिए बिजली के उपकरण—ज्वालासह अवरण "डी"। तीसरा पुनरीक्षण।	1, दिसम्बर 2005	06 फरवरी 2006

इस भारतीय संशोधन की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर पटना, पूणे तथा तिरुवनन्तापुरम में विक्री हेतु उपलब्ध हैं।

[संदर्भ : ईटी 22/टी-45]

पी.के. मुखर्जी, वैज्ञा. ए फ एवं प्रमुख (विद्युत तकनीकी)

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

(BUREAU OF INDIAN STANDARDS)

New Delhi, the 24th February, 2006

S. O. 917.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendment to the Indian Standard, particulars of which are given in the Schedule hereto annexed has been issued :

SCHEDULE

Sl. No.	No. & Year of the Indian Standards	No. & year of the Amendment	Date from which the Amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 2148 : 2004 Electrical Apparatus for Explosive Gas Atmospheres-Flameproof Enclosures 'd'	1, December 2005	06 February 2006

Copies of this Amendment are available with the Bureau of Indian Standards, Manak Bhavan, 9° Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. : ET 22/T-45]

P.K. MUKHERJEE, Sc. F & Head (Electro Technical)

नई दिल्ली, 24 फरवरी, 2006

का. आ. 918.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम संशोधित भारतीय मानक (को) की संख्या संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिरिक्त भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)
1. आई एस 2148: 2004/आईईसी 60079-1 (2001) विस्फोटो गैस पर्यावरणों के लिए बिजली के उपकरण-ज्वालासह अवरण "डी"। (तीसरा पुनरीक्षण)।	—	06 फरवरी 2006

इस भारतीय संशोधन की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों, कोलकाता, चण्डीगढ़, चेन्नई, मुंबई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[ईटी 22/टी-45]

पी.के. मुखर्जी, वैज्ञा. एफ एवं प्रमुख (विद्युत तकनीकी)

New Delhi, the 24th February, 2006

S. O. 918.—In pursuance of clause (b) of Sub rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendment to the Indian Standard, particulars of which are given in the Schedule hereto annexed has been issued :

SCHEDULE

Sl. No.	No. & Year of the Indian Standards	No. & year of the Amendment	Date from which the Amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 2148 : 2004/IEC 60079-1 (2001) Electrical Apparatus for Explosive Gas Atmospheres- Flameproof Enclosures "d" (Third Revision)	—	06 February 2006

Copies of this Amendment are available with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[ET 22/T-45]

P.K. MUKHERJEE, Scientist. F & Head (Electro Technical)

नई दिल्ली, 28 फरवरी, 2006

का. आ. 919.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक (को) में संशोधन किया गया/किये गये हैं :—

अनुसूची

क्रम. संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1) (2)	(3)	(4)
1. 4859 : 1968	3, दिसम्बर 2005	31 दिसम्बर 2005

इस भारतीय संशोधन की प्रति भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों, नई दिल्ली कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[सीईडी/राजपत्र]

जगदीश चन्द्र अरोड़ा वैज्ञानिक "ई" व प्रमुख (सिविल इंजीनियरी)

New Delhi, the 28th February, 2006

S. O. 919.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendment to the Indian Standard, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. & Year of the Indian Standards	No. & year of the Amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	4859 : 1968	3 December, 2005	31 December, 2005

Copies of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[CED/Gazette]

J.C. ARORA, Scientist E & Head (Civil Engg.)

नई दिल्ली, 28 फरवरी, 2006

का. आ. 920.—भारतीय मानक ब्यूरो के भारतीय मानक ब्यूरो (प्रमाणन) विनियमन 1988 के विनियमन 5 के उपविनियमन (6) के तहत यह अधिसूचित किया जाता है कि निम्नलिखित ब्यौरे वाले लाइसेन्स, उनके सामने दी गई तारीखों से, रद्द किए जाते हैं।

अनुसूची

क्रम. लाइसेन्स नम्बर संख्या	लाइसेन्स वाले का नाम/पता	समयबाधित लाइसेन्स द्वारा आवृत्त वस्तु/प्रक्रिया के साथ संगत भारतीय मानक	रद्द करने की तारीख
1. 6484078	जगहस इंजीनियरिंग एक्वीपमेंट्स, नं./17/1, पलनियप्पा-चेट्टियार स्ट्रीट, छटा क्रास, तण्णीर पन्दल, पीलमेडु, कोयम्बतूर-641 004	निमज्जनीय पंपसेट भामा : 8034 : 2002	2005-12-08

[सी एमडी-1/13 : 13]

एस. एम. भाटिया, उप महानिदेशक (मुहर)

New Delhi, the 28th February, 2006

S. O. 920.—In pursuance of sub-regulation (6) of regulation 5 of the Bureau of Indian Standards (Certification) Regulations 1988, the Bureau of Indian Standards, hereby notifies that the licence particulars of which are given below have been cancelled with effect from the date indicated against each.

SCHEDULE

Sl. No.	Licence No.	Name and Address of the Licensee	Article/Process with relevant Indian Standard covered by the licence expired	Date of cancellation
1.	6484078	Jaghas Engg. Equipments, Unit-III, 17/1, Pallaniappa Chettiar Street, 6th Cross, Thanneer Pandhal, Peelamedu, Coimbatore-641 004	Submersible Pumpsets IS 8034 : 2002	2005-12-08

[CMD-1/13 : 13]

S. M. BHATIA, Dy. Director General (Marks)

नई दिल्ली, 28 फरवरी, 2006

क्र.अ. 921.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के नियम (4) के उप नियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेन्सों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिये गए हैं :—

अनुसूची

क्रम सं.	लाइसेंस सं.	शालू तिथि	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक व संबंधित भारतीय मानक
1	2	3	4	5
1.	8684504	27-12-2005	मै. शिवम इण्डस्ट्रीज, जी-1-80-81 व 82, रीको इण्ड. ऐरिया, नोहर, हनुमानगढ़	प्लाईवुड फॉर जर्नल परपज 303 : 1989
2.	8681292	02-12-2005	मै. विनायक मेन्यूटेड प्रा.लि. 31, इण्ड. ऐरिया, झोटवाडा, जयपुर	फिनाइल 1061 : 1997
3.	8681191	02-12-2005	मै. जे. के. एन्टरप्राइजेज, जी-501, रोड नं. 12, बी. के. आई. ऐरिया, जयपुर	स्टील दरवाजा, खिड़की और रोशनदान 1038 : 1983
4.	8682395	08-12-2005	मै. रिधि ज्वैल, सी-6, जी. टी. बाजार, गौरव टावर, मालविया नगर, जयपुर	हालमार्किंग ऑफ गोल्ड ज्वेलरी 1417 : 1999
5.	8682496	08-12-2005	मै. चेतन उद्योग, जी-513, रोड नं. 9ए, बी. के. आई. ऐरिया, जयपुर	पोलिस्टर और पोलिप्रोपलीन 8783 (भाग-4) : 1995
6.	8683805	22-12-2005	मै. वर्धमान ज्वैलर्स, शॉप नं. 04, आनन्दगंगा अपार्टमेन्ट, 3 बी रोड, सरदारपुरा, जोधपुर	हालमार्किंग ऑफ गोल्ड ज्वेलरी 1417:1999
7.	8683401	15-12-2005	मै. फाइन केबल और कण्डेक्टर्स, फ - 221, रीको इण्ड. ऐरिया, बगरू विस्तार, बगरू, जयपुर	एसीएसआर 398(भाग-2): 1996

1	2	3	4	5
8.	8685809	30-12-2005	मै. कप कब इंडिया लि., फ- 1233, घटल इण्ड. ऐरिया, भीवाडी-301019 जिला अलवर	पीवी सी इन्सुलेटेड केबल 694 :1990
9.	8685910	30-12-2005	मै. कप कब इंडिया लि., फ- 1233, घटल इण्ड. ऐरिया, भीवाडी - 301019 जिला अलवर	पीवीसी(एचडी) इन्सुलेटेड केबल 1554:(भाग-1)

[संदर्भ सी एम डी-1/13:11]

एस. एम. भाटिया, उप महानिदेशक (मुहर)

New Delhi, the 28th February, 2006

S. O. 921.—In pursuance of sub-regulation (5) of regulation 4 of the Bureau of Indian Standards (Certification Regulation, 1988, the Bureau of Indian Standards, hereby notifies the grant of licence particulars of which are given in the following schedules.

SCHEDULE

Sl. No.	Licence No. (CML)	Operative Date	Name and Address of the Licensee	Article/Process Covered by the licences and the relevant I.S.: Designation
1	2	3	4	5
1.	8684504	27-12-2005	M/s Shivam Industries, G-I-80-81&82, RIICO Industrial Area, Nohar, Hanumangarh	Plywood for General Purpose IS:303:1989
2.	8681292	2-12-2005	M/s Vinayak Manutrade Pvt. Ltd., 31, Industrial Area, Jhotwara, Jaipur	Disinfectant Fluid IS:1061:1997
3.	8681191	2-12-2005	M/s J.K. Enterprises G-501, Road No.12, V.K.I. Area, Jaipur	Steel Doors windows and ventilators IS:1038:1983
4.	8682395	8-12-2005	M/s Riddhi Jewel, C-6 G.T. Bazar Gaurav Tower, Malviya Nagar, Jaipur-12	Hallmarking of Gold Jewellery IS:1417:1999
5.	8682496	8-12-2005	M/s Chetan Udyog, G-513, Road No.9A, V.K.I. Area, Jaipur	Polyester & Polypropylene IS:8783(Pt.4):1995
6.	8683805	22-12-2005	M/s Vardhaman Jewellers, Shop No.04, Anandganga Apartment, 3rd B Road, Sardarpura, Jodhpur	Hallmarking of Gold jewellery IS:1417:1999
7.	8683401	15-12-2005	M/s Fine Cable & Conductors, F-221, RIICO Industrial Area, Bagru (Extn) Jaipur	ACSR IS:398(Pt.2):1996
8.	8685809	30-12-2005	M/s Cap Cab India Ltd., F-1233, Ghatal Industrial Area, Bhiwadi-301019(Raj.)	PVC Insulated Cable IS:694:1990
9.	8685910	—do—	—do—	PVC (HD) Insulated Cable Is : 1554 (Pt-I)

[Ref: CMD.1/13:11]

S.M. BHATIA, Dy. Director General (Marks)

नई दिल्ली, 28 फरवरी, 2006

का. आ. 922.—भारतीय मानक ब्यूरो के भारतीय मानक ब्यूरो (प्रमाणन) विनियमन, 1988 के विनियमन 5 के तहत एतद्वारा निम्नलिखित अनुसूची में दिए ब्यूरो के लाइसेंस की मंजूरी अधिसूचित करता है।

अनुसूची

क्रम सं.	लाइसेंस संख्या	लागू अवधि	पार्टी का नाम/पता	मानक की उपाधि	भामा संख्या भाग/खण्ड/वर्ष
(1)	(2)	(3)	(4)	(5)	(6)
1.	6536980	4-12-2006	मैसर्स मोणिका पाइप्स, नं./7/110-1, सरवणामपट्टी, कोर्टनम, कोयम्बतूर- 641 035	पेय जल आपूर्ति के लिए यूपीविसी पाइप्स	भामा : 4985 : 2000
2.	6540163	23-12-2005	मैसर्स वीसर इलेक्ट्रीकल्स, नं./1/423, कालदम्बापुरम स्ट्रीट, विनियमनभवन, कोयम्बतूर- 641062.	बिजली के कनेक्शन करने के लिए विनियमन के तहत होकर	भामा : 2083 : 1993
3.	6540769	27-12-2005	मैसर्स श्री कुमार, तंग मालिगै नं./85-ए, आ.के.वी.रोड, ईरोड-638001	स्वर्ण व स्वर्ण मिश्र धातुएँ आभूषण तथा हस्तकारी शुद्धता तथा मोहरांकन	भामा : 1417 : 1999
4.	6540971	27-12-2005	मैसर्स श्री कुमार तंग मालिगै, नं. 555-557, ओम्पकारा स्ट्रीट, ईरोड-641 001	स्वर्ण व स्वर्ण मिश्र धातुएँ आभूषण तथा हस्तकारी शुद्धता तथा मोहरांकन	भामा : 1417 : 1999
5.	6541367	29-12-2005	मैसर्स अक्षया इंजीनियरिंग, नं./1454, तडागम रोड, जी.सी. टी. फेस्ट, कोयम्बतूर- 641013.	सफ ठण्डे पानी के लिए उपकेन्द्रीय पुनरुत्पादक पंप्स	भामा : 8472 : 1998
6.	6541973	29-12-2005	मैसर्स हाईपिट इंजीनियरिंग, न. 1-ए, शक्ति नगर, लक्ष्मीजंग पुरम, पीलमेड, कोयम्बतूर-641 004	उपकेन्द्रीय जेट पंप	भामा : 12225 : 1997
7.	6542066	29-12-2005	मैसर्स हाईपिट इंजीनियरिंग, न. 1-ए, शक्ति नगर, लक्ष्मी नगर पुरम, पीलमेड, कोयम्बतूर-641 004	कृषि तथा जल आपूर्ति के लिए साफ ठण्डे पानी के बिजली के मोटोरेट पम्प	भामा : 9079 : 2002
8.	6542268	30-12-2005	मैसर्स अस्कर पम्प प्रोडक्ट्स, नं. 40-ए, नल्ला तण्णीर तोट्टम, गोल्डविन्स, सिविल एयरोड्रोम (पोस्ट), कोयम्बतूर-641 014	निमज्जनीय पंपसेट	भामा : 8034 : 2002

[संदर्भ : सीएमडी-1/13 : 11]

एस.एम. भाटिया, उप महानिदेशक (मुहर)

New Delhi, the 28th February, 2006

S. O. 922—In Pursuance of sub-regulation (5) of the Bureau of Indian Standards (Certification) Regulation, 1988, of the Bureau of Indian Standards, hereby notifies the grant of licence particular of which are given in the following schedule.

SCHEDULE

Sl. No.	Licence No.	Operative Date	Name and Address (Factory) of the Party	Title of the Standard	IS No. Part/Sec. Year
1.	6536980	04-12-2006	M/s Monica Pipes, 7/110-1, Saravanampatti Road, Keeranatham, Coimbatore-641 035	UPVC pipes for potable Water supplies	IS 4985 : 2000
2.	6540163	23-12-2005	M/s Veesar Electricals 1/423, Baladhandayutham Street, Chinniyampalayam, Coimbatore-641 062	Stationary storage type electric water heaters	IS 2083 : 1993
3.	6540769	27-12-2005	M/s Sree Kumaran Thanga Maligai 85-A, R.K.V. Road Erode-638 001	Gold and gold alloys, Jewellery/artifacts-fineness and marking	IS 1417 : 1999
4.	6540971	27-12-2005	M/s Sree Kumaran Thanga Maligai 555-557, Oppanakara Street, Coimbatore-641 001	Gold and gold alloys, Jewellery/artifacts-fineness and marking	IS 1417 : 1999
5.	6541367	29-12-2005	M/s Akshaya Engineering 1454, Thadagam Road Gct Post, Coimbatore-641 013	Centrifugal regenerative pumps for clear, cold water	IS 8472 : 1998
6.	6541973	29-12-2005	M/s Hifit Engineering, 1-A, Sakthi Nagar, Lakshmi Puram, Peelamedu, Coimbatore-641 004	Centrifugal jet pump	IS 12225 : 1997
7.	6542066	29-12-2005	M/s Hifit Engineering, 1-A, Sakthi Nagar, Lakshmi Puram, Peelamedu, Coimbatore-641 004	Electric Monoset Pumps for Clear, Cold Water for Agricultural and Water Supply Purposes	IS 9079 : 2002
8.	6542268	30-12-2005	M/s Askhar Pump Products, 40-A, Nalla Thanner Thottam, Goldwins, Civil Aerodrome (PO), Coimbatore-641 014	Submersible Pumpsets	IS 8034 : 2002

[Ref: CMD.1/13:11]

S.M. BHATIA, Dy Director General (Marks)

नई दिल्ली, 1 मार्च, 2006

का. आ. 923.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो
 कादस्ताफ़ा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम. संख्या	स्थापित भारतीय मानक (कों) की वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हों, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	IS 5753: 2006 अल्फा-एमाइल सिनैमिक एल्डीहाइड—विशिष्ट (तीसरा पुनरीक्षण)	कुछ नहीं	जनवरी 2006
2.	IS 15651 (Part 2) : 2006 प्राकृतिक गैस-कार्ल फिशर पद्धति द्वारा जल ज्ञात करना भाग 2 अनुमापन विधि	कुछ नहीं	जनवरी 2006
3.	IS 3858 : 2006 बेंजाइल एसिटेट—विशिष्ट (तीसरा पुनरीक्षण)	कुछ नहीं	जनवरी 2006

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों, नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : पीसीडी जी/7 (गजट)]

डा. डी. के. चौधरी, वैज्ञा.एफ एवं प्रमुख (पेट्रोल, कोयला एवं सम्बन्धित उत्पाद/PCD)

New Delhi, the 1st March, 2006

S. O. 923.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. & Year and title of the Indian Standards Established	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 5753 : 2006 Alpha-Amyl cinnamic aldehyde— Specification (third revision)	None	January 2006
2.	IS 15641 (Part 2) : 2006 Natural gas— Determination of water by the Karl Fischer Method Part 2 Titration procedure	None	January 2006
3.	IS 3858 : 2006 Benzyl acetate—Specification (third revision)	None	January 2006

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. : PCD G/ 7 (Gazette)]

Dr. D. K. CHAUDHURI, Sc.-F & Head (PCD)

नई दिल्ली, 1 मार्च, 2006

का. आ. 924.— भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के विनियम 6 के उपविनियम 3 के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा नीचे अनुसूची में दिए गये उत्पादों की मुहरांकन शुल्क अधिसूचित करता है :—

अनुसूची

भारतीय मानक सं.	भाग	अनु.	वर्ष	उत्पाद	इकाई	न्यूनतम मुहरांकन शुल्क		इकाई दर	प्रचालन तिथि
						बड़े पैमाने पर	छोटे पैमाने पर		
8382	0	0	1977	चिकित्सा गैस सिलिंडरों के साथ प्रयुक्त पूर्व नियोजित रेग्युलेटर	एक अद्	33000	26000	1.5	20050810
9271	0	0	2004	फार्म जल निकास के लिए प्लास्टिक पाइप	एक टन	65000	57000	80	20050810
13362	0	0	1992	वस्त्रादि—एस्बेस्टॉस धागा	100 कि.ग्रा.	33000	26000	14	20050810
3149	0	0	1994	घरेलू उपयोग के लिए इनेमिल बर्तन	100 अद्	33000	26000	6	20050926
9281	3	0	1981	इलैक्ट्रॉनिक तोल तंत्र	एक अद्	49000	41000	40	20050926
10508	0	0	1983	फासफोरिक एसिड, खाद्य ग्रेड	1 एमटी	33000	26000	50	20050926
13958	0	0	2004	सामान्य कार्यों के लिए बॉस का चटाई बोर्ड	एक वर्गमीटर	39000	32000	0.5	20050926
15391	0	0	2003	अतप्त बेहिलित गैर-दिशात्मक विद्युत इस्पात की चद्दर एवं पत्ती—अर्ध-प्रकृतित प्ररूप	1 एमटी	39000	32000	5	20050926
15573	0	0	2005	पोलिएल्युमीनियम क्लोराइड	1 एमटी	36000	29000	10	20050926
296	0	0	1986	सोडियम कार्बोनेट निर्जलीय	एक टन	33000	26000	70	20051128
1381	1	0	2003	प्रयोगशाला काँच सामान-लघु ग्रीवा क्वथन प्लास्क	एक अद्	30000	24000	0.2	20051128
2155	0	0	1982	तप्त क्लोजिंग के लिए (6 से 16 मिमी व्यास) अतप्त फोजित टोस स्टील रिबेट	1 एमटी	33000	26000	30	20051128
2619	0	0	1993	काँच के बीकर	एक अद्	33000	26000	0.16	20051128
11005	0	0	1984	विद्युत उपस्कर के लिए धूलबंद ज्वलनसह खोल	1 अद्	60000	52000	15	20051128
12510	0	0	1988	दीवार की घड़ी (बैटरी से चलने वाली)	एक अद्	45000	38000	0.13	20051128

[संदर्भ : सीएमडी-1/13:10]

एस. एम. भाटिया, उप महानिदेशक (मुहर)

New Delhi, the 1st March, 2006

S. O. 924.—In pursuance of sub-regulation (3) of regulation 6 of the Bureau of Indian Standards (Certification) Regulations, 1988, the Bureau of Indian Standards hereby notifies the Marking for the products given in the Schedule :

SCHEDULE

IS. No.	Pt.	Sec.	Year	Product	Unit	Min. Marking Fee		Unit Rate	Enforcement Date
						Large Scale	Small Scale		
8382	0	0	1977	Pressure Regulators, Pre-set used with Medical Gas Cylinders	1 Piece	33000	26000	1.5	20050810
9271	0	0	2004	PVC Single Wall Corrugated Pipes for Drainage	1 Tonne	65000	57000	80	20050810
13362	0	0	1992	Asbestos Yarn—Textiles	100 Kg.	33000	26000	14	20050810
3149	0	0	1994	Enamelware for Home use	100 Pieces	33000	26000	6	20050926
9281	3	0	1981	Electronic Weighing System	1 Piece	49000	41000	40	20050926
10508	0	0	1983	Phosphoric Acid, Food Grade	1 MT	33000	26000	50	20050926
13958	0	0	2004	Bamboo Mat Boards	1 Sq. M.	39000	32000	0.5	20050926
15391	0	0	2003	Cold Rolled Non-oriented Electrical Steel sheet & Strip-semi Processed Type	1 MT	39000	32000	5	20050926
15573	0	0	2005	Polyaluminium Chloride	1 MT	36000	29000	10	20050926
296	0	0	1986	Sodium Carbonate, Anhydrous	1 Tonne	33000	26000	70	20051128
1381	1	0	2003	Laboratory Glassware Narrow Necked Boiling Flasks	1 Piece	30000	24000	0.2	20051128
2155	0	0	1982	Cold Forged Solid Steel Rivets for Hot Closing (6 to 16 mm Dia) type	1 MT	33000	26000	30	20051128
2619	0	0	1993	Glass Beakers	1 Piece	33000	26000	0.16	20051128
11005	0	0	1984	Dust-tight Ignition Proof Enclosures of Electrical Equipment	1 Piece	60000	52000	15	20051128
12510	0	0	1988	Wall Clocks (Battery Operated)	1 Piece	45000	38000	0.13	20051128

[Ref: CMD-1/13 : 10]

S. M. BHATIA, Dy. Director General (Marks)

नई दिल्ली, 2 मार्च, 2006

का. आ. 925.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक (कों) में संशोधन किया गया/किये गये हैं :—

अनुसूची

क्रम. संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 1342 : 2002 : तेल दाब स्टोव विशिष्ट (छठा पुनरीक्षण)	संशोधन नं. 1, जनवरी 2006	1 फरवरी 2006

इस संशोधन की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयंबटूर, गुवाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एम. ई. डी./जी-2 : 1]

सी. के. वेदा, वैज्ञा. — एफ एवं प्रमुख (यांत्रिक इंजीनियरिंग)

New Delhi, the 2nd March, 2006

S.O. 925.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed has been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 1342 : 2002 Oil pressure stoves-Specification (Sixth Revision)	Amendment No. 1, January 2006	1 February 2006

Copies of this amendment is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. : MED/G-2 : 1]

C. K. VEDA, Scientist 'F' & Head (Mechanical Engg.)

नई दिल्ली, 2 मार्च, 2006

का. आ. 926.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम. संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिरिक्त भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आईएस 15637 : 2006 द्रवीय पेट्रोलियम गैस के लिए 0.5 लिटर से 250 लिटर की जलक्षमता के सिलिंडर की विशिष्ट	—	28 फरवरी 2006

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों, : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एम. ई. डी./जी-2 : 1]

सी. के. वेदा, वैज्ञा. एफ एवं प्रमुख (यांत्रिक इंजीनियरिंग)

New Delhi, the 2nd March, 2006

S. O. 926.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No. and year of the No. Indian Standards Established	No. and year of Indian Standards, if any Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)
1. IS 15637 : 2006 Welded Stainless Steel cylinder for liquefied petroleum gases (LPG) from 0.5 litre to 250 litre water capacity—Specification	—	28 February 2006

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. : MED/G-2 : 1]

C. K. VEDA, Scientist F & Head (Mechanical Engg.)

नई दिल्ली, 2 मार्च, 2006

का. आ. 927.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक (कों) में संशोधन किया गया/किये गये हैं :—

अनुसूची

क्रम. संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 2960 : 1964 जिल्दसाजी के चमड़े की विशिष्टि	संशोधन संख्या 2, सितम्बर 2005	30 सितम्बर 2005

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों, : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 17/आई एस 2960]

डॉ. यू. सी. श्रीवास्तव, वैज्ञा. ई. निदेशक एवं प्रमुख (रसायन)

New Delhi, the 2nd March, 2006

S. O. 927.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed has been issued :

SCHEDULE

Sl. No.	No. & year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 2960 : 1964 Specification for Bookbinding Leather	Amendment No. 2, September 2005	30 September, 2005

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. : CHD 17/IS 2960]

Dr. U. C. SRIVASTAVA, Scientist-E, Director & Head (Chemical)

नई दिल्ली, 2 मार्च, 2006

का. आ. 928.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक (कों) में संशोधन किया गया/किये गये हैं :—

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 4396 : 1981—विस्फोटक और आतिशबाजी हेतु संघटनों के लिए बेरियम नाइट्रेट की विशिष्टि (प्रथम पुनरीक्षण)	संशोधन संख्या 1, जून, 2005	30 जून, 2005

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 26/आई एस 4396]

डॉ. यू. सी. श्रीवास्तव, वैज्ञा. ई, निदेशक एवं प्रमुख (रासायन)

New Delhi, the 2nd March, 2006

S. O. 928.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed has been issued :

SCHEDULE

Sl. No.	No. & year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 4396 : 1981—Specification for Barium Nitrate for Explosive and Pyrotechnic compositions (First Revision)	Amendment No. 1, June 2005	30 June, 2005

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. : CHD 26/IS 4396]

Dr. U. C. SRIVASTAVA, Scientist-E, Director & Head (Chemical)

नई दिल्ली, 2 मार्च, 2006

का. आ. 929.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसार में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम. संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आईएस 309 : 2005 संपीड़ित आक्सीजन गैस—विशिष्ट (चौथा पुनरीक्षण)	—	30 सितम्बर, 2005

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 6/आई एस 309]

डॉ. यू. सी. श्रीवास्तव, वैज्ञा. ई, निदेशक एवं प्रमुख (रसायन)

New Delhi, the 2nd March, 2006

S. O. 929.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No. & year of the No. Indian Standards Established	No. & year of the Indian Standards, if any Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)
1. IS 309 : 2005 Compressed Oxygen Gas— Specification (Fourth Revision)	—	30 September, 2005

Copies of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. : CHD 6/IS 309]

Dr. U. C. SRIVASTAVA, Scientist-E, Director & Head (Chemical)

नई दिल्ली, 2 मार्च, 2006

का. आ. 930.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसार में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम. संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आईएस 15578 : 2005 गैस मिश्रणों के प्रहस्तन व उपयोग की रीति संहिता	—	31 जुलाई, 2005

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों, नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 6/आई एस 15578]

डॉ. यू. सी. श्रीवास्तव, वैज्ञा. ई., निदेशक एवं प्रमुख (रसायन)

New Delhi, the 2nd March, 2006

S. O. 930.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No. & year of the No. Indian Standards Established	No. & year of the Indian Standards, if any Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)
1. IS 15578 : 2005 Code of practice for handling and usage of gas mixtures	—	31 July, 2005

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. : CHD 6/IS 15578]

Dr. U. C. SRIVASTAVA, Scientist-E, Director & Head (Chemical)

नई दिल्ली, 2 मार्च, 2006

का. आ. 931.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम. संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 15583 : 2005 संपीडित होलियम गैस- विशिष्ट	—	31 मई, 2005

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 6/आई एस 15583]

डॉ. यू. सी. श्रीवास्तव, वैज्ञा. ई., निदेशक एवं प्रमुख (रसायन)

New Delhi, the 2nd March, 2006

S. O. 931.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No. & year of the Indian Standards Established	No. & year of Indian Standards, if any Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)
1. IS 15583 : 2005 Compressed Helium Gas-Specification	—	31 May, 2005

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. : CHD 6/IS 15583]

Dr. U. C. SRIVASTAVA, Scientist-E Director & Head (Chemical)

नई दिल्ली, 2 मार्च, 2006

का. आ. 932.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम. संख्या	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 15584 : 2005 मेडिकल एक्सरे फिल्म	—	31 जुलाई, 2005

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, बण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 1/आई एस 15584]

डॉ. यू. सी. श्रीवास्तव, वैज्ञानिक ई. निदेशक एवं प्रमुख (रसायन)

New Delhi, the 2nd March, 2006

S. O. 932.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No. & year of the Indian Standards Established	No. & year of Indian Standards if any Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)
1. IS 15584 : 2005 Medical X-Ray Films	—	31 July, 2005

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. : CHD 1/IS 15584]

Dr. U. C. SRIVASTAVA, Scientist-E Director & Head (Chemical)

नई दिल्ली, 2 मार्च, 2006

का. आ. 933.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के नियम (4) के उप-नियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेन्सों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिये गए हैं :—

अनुसूची

क्र.स. लाइसेंस सं.	चालू तिथि	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक व संबंधित भारतीय मानक	
(1)	(2)	(3)	(4)	
1.	8688916	17-1-2006	मै. किशनलाल ज्वैलर्स, मैन बाजार, हनुमानगढ़ टाउन (राज.)	हालमार्किंग ऑफ गोल्ड ज्वेलरी 1417 : 1999
2.	8689615	19-1-2006	मै. श्री सीमेन्ट लि. (यूनिट 3) (मै. श्री सीमेन्ट लि. की यूनिट) ग्राम व पोस्ट-रास, तहसील-जैतारण जिला-पाली (राज.)	पीपीसी 1489 (भाग 1 और 2)
3.	8689716	19-1-2006	—तदैव—	साधारण पोर्टलेण्ड सीमेन्ट 53 ग्रेड 12269 : 1987
4.	8691093	30-1-2006	मै. रिषभ पाइपस प्रा. लि., ई-1248, रीको औद्योगिक क्षेत्र, घटल विस्तार, रोड नं. 7, भीवाड़ी, जिला-अलवर	रबड इनसरेशन जवाय्न्टिंग 638 : 1979

[संदर्भ : सीएमडी 1/13 : 11]

एस.एम. भाटिया, उप महानिदेशक (मुहर)

New Delhi, the 2nd March, 2006

S. O. 933.—In pursuance of sub-regulation (5) of regulation 4 of the Bureau of Indian Standards (Certification Regulation, 1988, the Bureau of Indian Standards, hereby notifies the grant of licence particulars of which are given in the following schedules.

SCHEDULE

Sl. No.	Licence No. (CM/L)	Operative Date	Name and Address of the Licensee	Article/Process Covered by the licences and the relevant IS : Designation
(1)	(2)	(3)	(4)	(5)
1.	8688916	17-01-2006	M/s Kishantal Jewellers Main Bazar Hanumangarh Town, (Raj.)	Hallmarking Gold Jewellery IS 1417 : 1999
2.	8689615	19-01-2006	M/s Shree Cement Ltd. (Unit III) (Unit of M/s Shree Cement Ltd.) Village & Post Rass, Tehsil : Jaitran Distt. Pali (Raj.)	PPC IS : 1489 (Pt. 1 & 2) : 1991
3.	8689716	19-1-2006	—do—	OPC 53 Grade IS : 12269 : 1987
4.	8691093	30-01-2006	M/s Risabh Pipes Pvt. Ltd. E-1248, RIICO Industrial Area, Ghatal Ext. Road No. 7, Bhiwadi, Distt. Alwar	Rubber Insertion Jointing IS : 638 : 1979

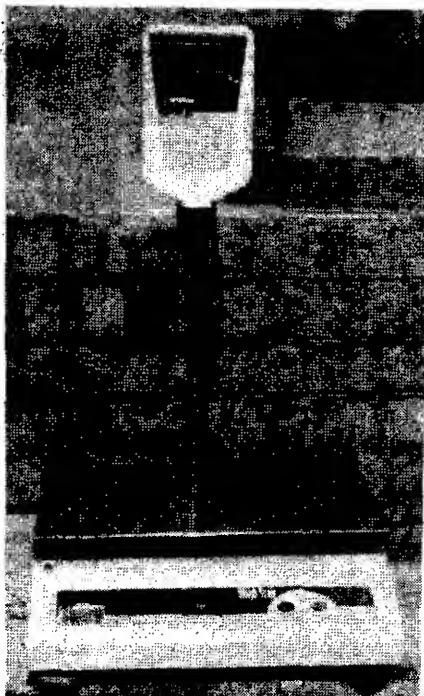
[Ref : CMD-1/13 : 11]

S. M. BHATIA, Dy. Director General (Marks)

नई दिल्ली, 17 फरवरी, 2006

क्र.अ. 934.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स शॉप स्केल्स, #संख्या यू-55, 2 मैन रोड, के.पी. अग्रहारा, मगदी रोड, बंगलौर-560023 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "एसएस-6969" शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "शॉप" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/1025 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल (ऊपर दी गई आकृति देखें) एक विकृत गेज प्रकार का भार सैल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबंद किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्राम तक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्राम या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

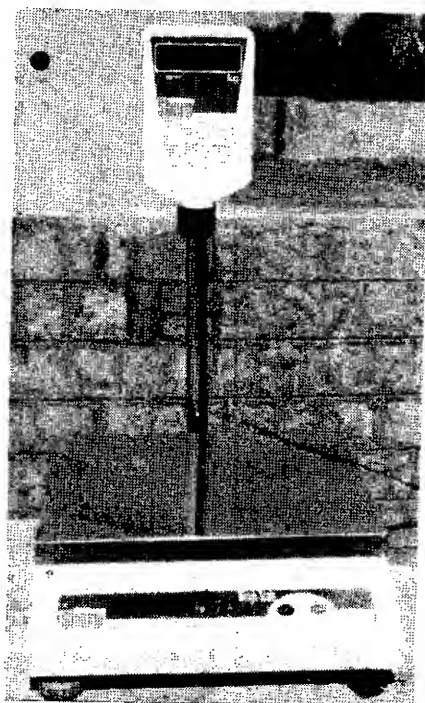
[फा. सं. डब्ल्यू एम-21(281)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th February, 2006

S.O. 934.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Table top type) weighing instrument with digital indication of "SS-6969" series of medium accuracy (Accuracy class-III) and with brand name "SHARP" (hereinafter referred to as the said model), manufactured by M/s Sharp Scales, # No. U-55, 2nd Main Road, K.P. Agrahara, Magadi Road, Bangalore-560023 and which is assigned the approval mark IND/09/2005/1025;



The said model (see the figure given above) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto 50kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g or more with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(281)/2005]

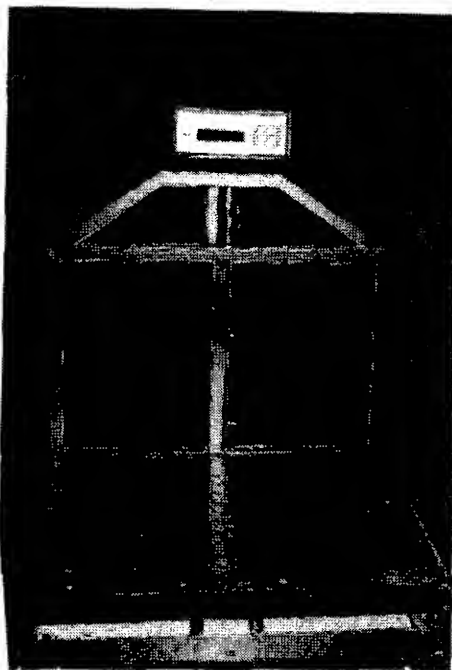
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 फरवरी, 2006

का.आ. 935.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स शॉप स्केल्स, #संख्या यू-55, 2 मैन रोड, के.पी. अग्रहारा, मगदी रोड, बंगलौर-560023 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "एसएस-9696" शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "शॉप" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/1026 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. है और न्यूनतम क्षमता 4 किलो ग्रा. है। सत्यापन मापमान अन्तराल (ई) 200 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबंद किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम से अधिक और 5000 किलोग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(281)/2005]

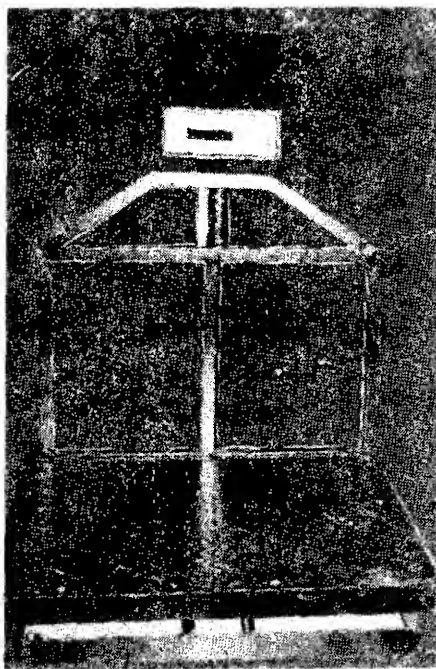
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th February, 2006

S.O. 935.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic (Platform type) weighing instrument with digital indication of "SS-9696" series of medium accuracy (Accuracy class-III) and with brand name "SHARP" (hereinafter referred to as the said model), manufactured by M/s. Sharp Scales, # No. U-55, 2nd Main Road, K.P. Agrahara, Magadi Road, Bangalore-560023 and which is assigned the approval mark IND/09/2005/1026;

The said model (see the figure given below) is a strain gauge type load cell based weighing instrument with a maximum capacity of 1000kg. and minimum capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50kg. and up to 5000kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principles, design and with the same materials with which, the said approved model has been manufactured.

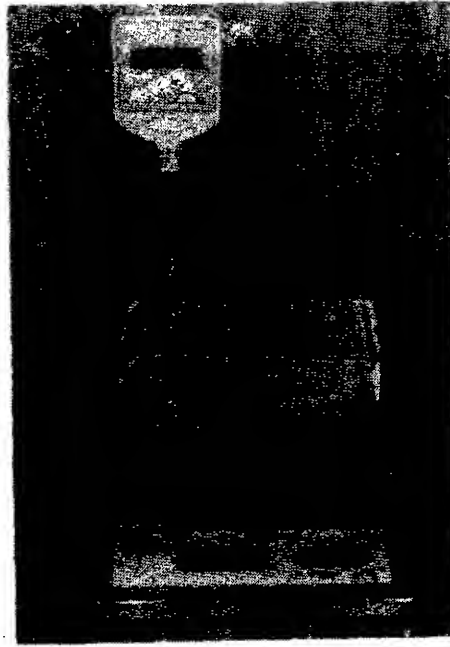
[F. No. WM-21(281)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 फरवरी, 2006

का.आ. 936.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा:

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स स्टेन्डर्ड्स स्केल्स इण्डिया, संख्या 307/3, एस पी रोड, बंगलौर-560002 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "एसएसआई-टीटी" श्रृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "सन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/1029 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गैज प्रकार का भार सैल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबंद किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्राम के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्राम या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

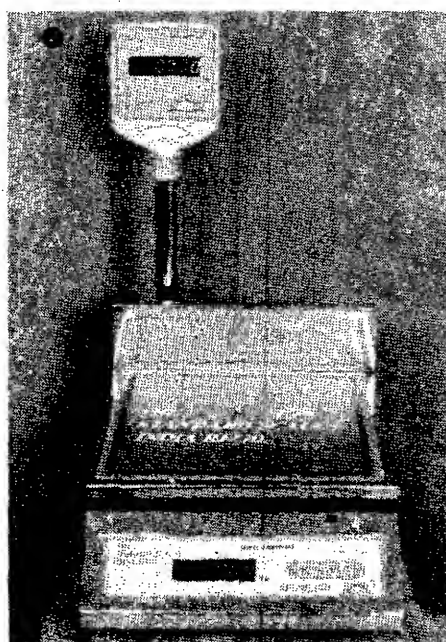
[फा. सं. डब्ल्यू एम-21(298)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th February, 2006

S.O. 936.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of series “SSI-TT” and of medium accuracy (Accuracy class-III) with brand name “SUN” (hereinafter referred to as the said model), manufactured by M/s The Standards Scale's India, No. 307/3, S.P. Road, Bangalore-560002, Karnataka and which is assigned the approval mark IND/09/2005/1029;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principles, design and with the same materials with which, the said approved model has been manufactured.

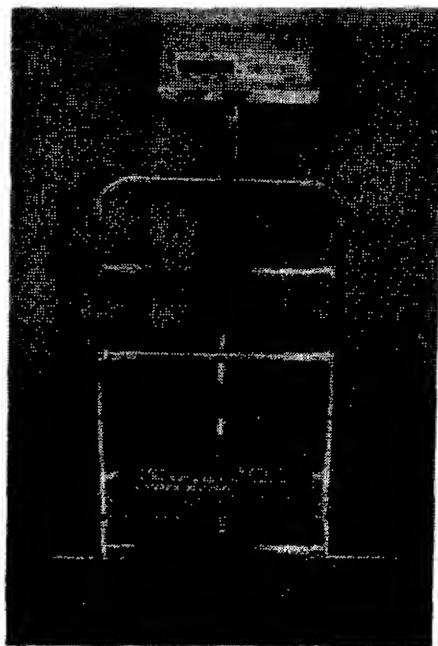
[F. No. WM-21(298)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 फरवरी, 2006

का.आ. 937.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स स्टेन्डर्ड्स स्केल्स इण्डिया, संख्या 307/3, एस पी रोड, बंगलौर-560002 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "एसएसआई-पीटी" शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "सन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/1030 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सैल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. है और न्यूनतम क्षमता 4 किलो ग्रा. है। स्थापन मापमान अंतराल (ई) का मान 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबंद किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में स्थापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 किलोग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

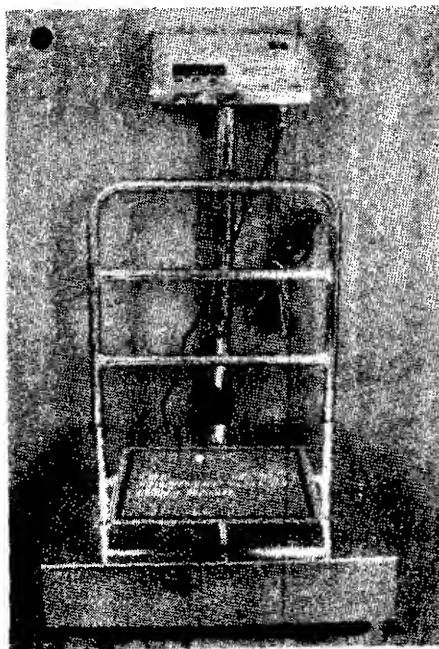
[फा. सं. डब्ल्यू एम-21(298)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th February, 2006

S.O. 937.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of series "SSI-PT" and of medium accuracy (Accuracy class-III) and with brand name "SUN" (hereinafter referred to as the said model), manufactured by M/s The Standards Scale's India, No. 307/3, S.P. Road, Bangalore-560002, Karnataka and which is assigned the approval mark IND/09/2005/1030;



The said model is strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000kg. and minimum capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg. and upto 5000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principles design and with the same materials with which, the said approved model has been manufactured.

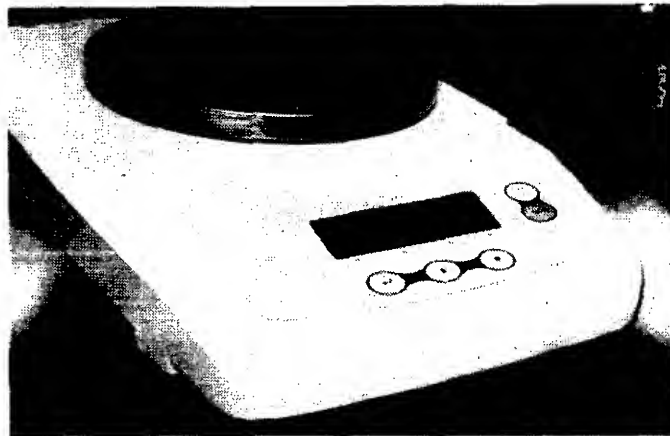
[F. No. WM-21(298)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 फरवरी, 2006

का.आ. 938.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स स्केल इंस्ट्रूमेंट्स एण्ड सर्विस प्राइवेट लिमिटेड, # 246 (ओल्ड # 137) अंगप्पा नायकेन स्ट्रीट, प्रथम तल, इराबालु स्ट्रीट के सामने, पर्यस, चेन्नई द्वारा निर्मित विशेष यथार्थता (यथार्थता वर्ग-I) वाले "मार्क" शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (टेबल टोप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "बेल" है (जिसे उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/924 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल इलैक्ट्रोमैग्नेटिक फोर्स कम्पनसेशन प्रिंसिपल आधारित अस्वचालित (टेबल टोप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 4100 ग्रा. और न्यूनतम क्षमता 1 ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 0.01 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। द्रव क्रिस्टल डिस्प्ले (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबंद किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 50,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

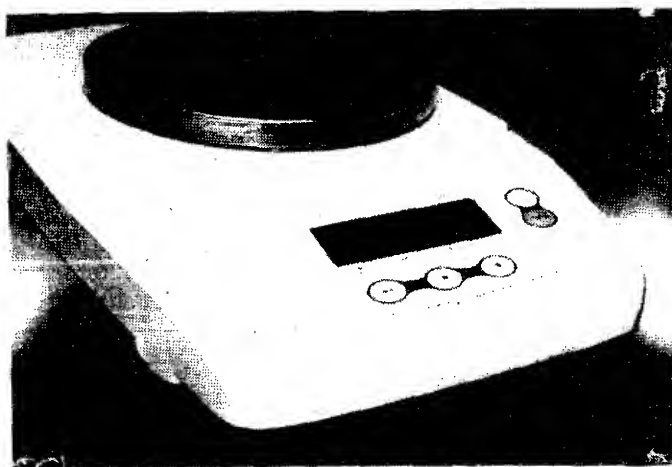
[फा. सं. डब्ल्यू एम-21(267)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th February, 2006

S.O. 938.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Table top type) weighing instrument with digital indication of "MARK" series of special accuracy (accuracy class-I) and with brand name "BEL" (herein referred to as the said model), manufactured by M/s The Scaletech Instruments & Services Pvt. Ltd., # 246 (Old # 137), Angappa Naicken Street, 1st Floor, Facing Errabalu Street, Parrys, Chennai-600 001 and which is assigned the approval mark IND/09/05/924;



The said model is an electromagnetic force compensation principle based non-automatic weighing instrument (Table top type) with a maximum capacity of 4100g and minimum capacity of 1g. The verification scale interval (e) is 0.01g. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230V, 50Hz alternate current powers supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg and with number of verification scale interval (n) equal to or more than 50,000 for 'e' value of 1mg or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(267)/2005]

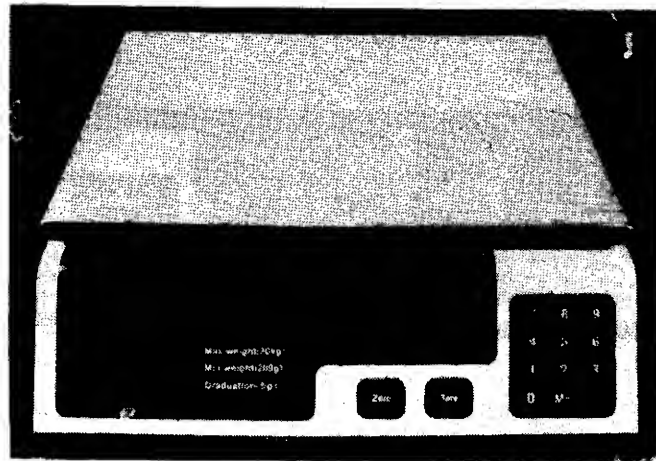
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 फरवरी, 2006

का.आ. 939.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स स्केल टैक इंस्ट्रुमेंट्स एण्ड सर्विसेज प्राइवेट लिमिटेड, # 246 (ओल्ड # 137) अंगप्पा नैयक्कन स्ट्रीट, प्रथम तल, इराबालू स्ट्रीट के सामने, पैरीयस, चेन्नई -600001 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "क्रूजर" शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "स्केलटैक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/925 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अन्तराल (ई) 5 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्राम तक 'ई' मान के लिए 100 से 10,000 तक की रेंज में सत्यापन अन्तराल (एन) और 5 ग्राम या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान 1×10^{-3} , 2×10^{-3} या 5×10^{-3} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(267)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th February, 2006

S.O. 939.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Table top type) weighing instrument with digital indication of "CRUZER" series of medium accuracy (Accuracy class-III) and with brand name "SCALETECH" (hereinafter referred to as the said model), manufactured by M/s. The Scaletech Instruments & Services Pvt. Ltd., # 246 (Old # 137), Angappa Naicken Street, 1st Floor, Facing Errabalu Street, Parrys, Chennai-600 001 and which is assigned the approval mark IND/09/05/925;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg. with verification scale interval (n) in the range of 100 to 10000 for 'e' value of 100mg. to 2g. or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(267)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 फरवरी, 2006

का.आ. 940.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उष्युक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) उप-धारा और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एलजेंट इंजीनियर्स, सी-82, सैक्टर-10, नौएडा-201301, उत्तर प्रदेश द्वारा निर्मित "एल डब्ल्यू" शृंखला के स्वचालित गेवीमेट्रिक फिलिंग उपकरण के मॉडल का, जिसके ब्रांड का नाम "एलजेंट इंजीनियर्स" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/997 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार भार सेल आधारित स्वचालित (ग्रेवी फिलिंग) उपकरण है। इसकी अधिकतम क्षमता 10 कि. ग्राम और न्यूनतम क्षमता 10 ग्राम है। इसकी अधिकतम फिलिंग दर 7-25 बैग प्रति मिनट है। यह सहज प्रवाह वाले उत्पाद जैसे चाय, चीनी, चावल, बीज, दालें अनाज आदि भरने के लिए तैयार की गई है।

स्टायिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित 1 ग्राम से 50 किलोग्राम तक के उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे।

[फा. सं. डब्ल्यू एम-21(176)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th February, 2006

S.O. 940.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of automatic gravimetric filling instrument of 'LW' series with brand name 'Elegants Engineers' (herein referred to as the said Model), manufactured by M/s Elegants Engineers, C-82, Sector-10, Nodia-201 301, Uttar Pradesh and which is assigned the approval mark IND/09/2005/997;



The said model is a strain gauge type load cell based automatic gravimetric filling instrument. Its maximum capacity is 10g to 10kg. It has a maximum fill rate of 7-25 bags per minute. The machine is designed for filling free flowing products like tea, sugar, rice, seeds, pulses, grains etc.

In addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the automatic filling machine of similar make, accuracy and performance of same series with maximum capacity in the range of 1g to 50kg manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which the said approved Model has been manufactured.

[F. No. WM-21(176)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

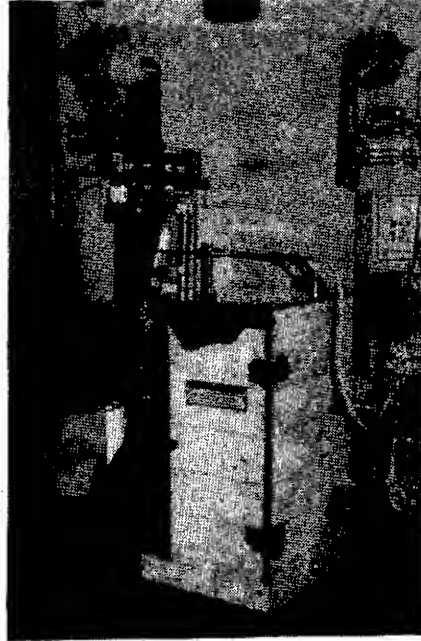
नई दिल्ली, 17 फरवरी, 2006

का.आ. 941.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एजीजेंट इंजीनियर्स, सी-82, सैक्टर-10, नौएडा-201301, उत्तर प्रदेश द्वारा निर्मित "एल" शृंखला की स्वचालित फिलिंग मशीन (पिस्टन फिलर) के मॉडल का, जिसके ब्रांड का नाम "एजीजेंट इंजीनियर्स" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/998 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक स्वचालित फिलिंग मशीन (पिस्टन फिलर) है। इसकी अधिकतम क्षमता 25 ग्राम से एक किलो तक अथवा समतुल्य मात्रा है। यह सहज प्रवाह के चिकनाई युक्त तरल उत्पाद जैसे तेल, क्रीम, दूधपेस्ट, जैली, जैम, घी, पेंट, डिस्टेंम्पर आदि को भरने के लिए उपयोग किया जाता है। यह प्रति मिनट 10—35 पैकेट भरता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।



और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित 1 ग्राम से 2 किलोग्राम अथवा समतुल्य मात्रा के उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी शामिल होंगे।

[फा. सं. डब्ल्यू एम-21(176)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

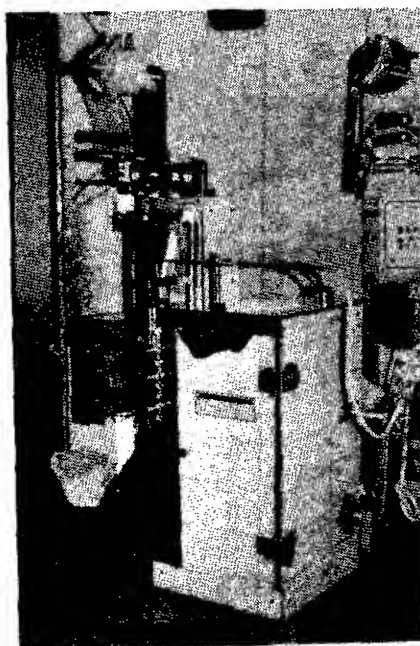
New Delhi, the 17th February, 2006

S.O. 941.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (See the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Automatic filling machine (Piston Filler) of "L" series and with brand name "Elegant Engineers" (hereinafter referred to as the said Model), manufactured by M/s. Elegants Engineers, C-82, Sector-10, Nodia-201 301, Uttar Pradesh and which is assigned the approval mark IND/09/2005/998;

The said model (See the figure given below) an automatic filling machine (Piston Filler) and its maximum capacity is 25g. to 1 kg. or equivalent volume. It is used for filling the viscous liquids products like oil, cream, toothpaste, jelly, jam, ghee, paints, distemper etc. It fills 10—35 packets per minute. The instruments operates on 230V, 50Hz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.



Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity in the range of 1g. to 2kg. or equivalent volume manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the said approved Model has been manufactured.

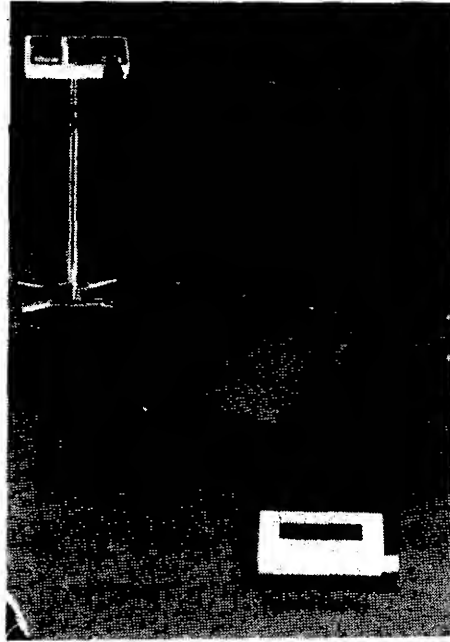
[F. No. WM-21(176)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 21 फरवरी, 2006

का.आ. 942.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स पूनावाला इलैक्ट्रो वे, चक्कापीर गली, दरगाह के बाद, लांगगेट, सूरत, गुजरात द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग-II) वाले "जीआईएलएलपी-600" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "गिल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/499 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है



उक्त मॉडल एक विकृत गेज प्रकार का भार सैल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 600 कि. ग्रा. है और न्यूनतम क्षमता 2.5 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को ऋपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबंद किया जाएगा।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 1,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

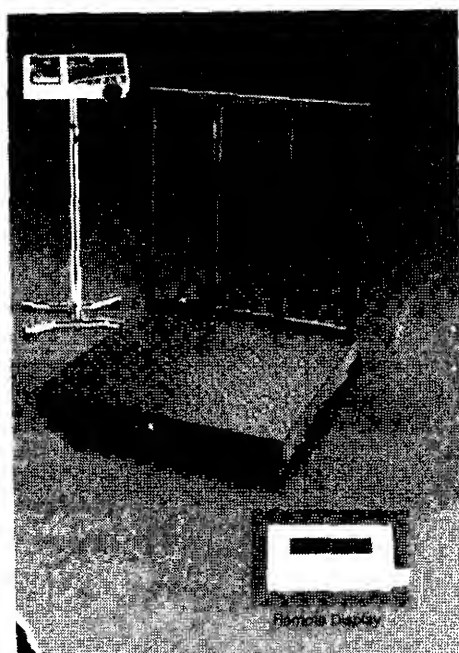
[फा. सं. डब्ल्यू एम-21(156)/2004]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st February, 2006

S.O. 942.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "GILLP-600" series of high accuracy (Accuracy class-II) and with brand name "GILL" (hereinafter referred to as the said model), manufactured by M/s. Poonawala Electro Weigh, Chakkapir Gali, Next to Dargah, Lalgate, Surat, Gujarat and which is assigned the approval mark IND/09/2005/499;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity is 600 kg. and minimum capacity of 2.5 kg. The verification scale interval (e) is 50 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and up to 1,000 kg. with verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design, and with the same materials with which the said approved model has been manufactured.

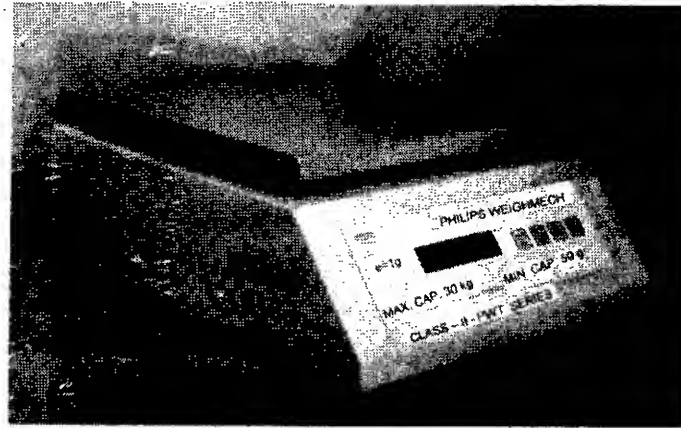
[F. No. WM-21(156)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 21 फरवरी, 2006

का.आ. 943.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स फिलिप वेमेक प्राइवेट लिमिटेड, नं. 260/18-20, साने गुरुजी मार्ग, कस्तूरबा होस्पिटल के सामने, जेकब सर्कल, मुंबई-400011, महाराष्ट्र द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग-II) वाले "पी डब्ल्यू टी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "फिलिप वेमेक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/441 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है



उक्त मॉडल एक विकृत गेज प्रकार का भार सैल आधारित अस्वचालित तोलन उपकरण (टेबलटॉप प्रकार) है। इसकी अधिकतम क्षमता 20 किलो ग्राम है और न्यूनतम क्षमता 50 ग्रा. है। सत्यापन मापमान अन्तराल (ई) 1 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबंद किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्राम या 50 मि. ग्राम के "ई" मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्राम या उससे अधिक के "ई" मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

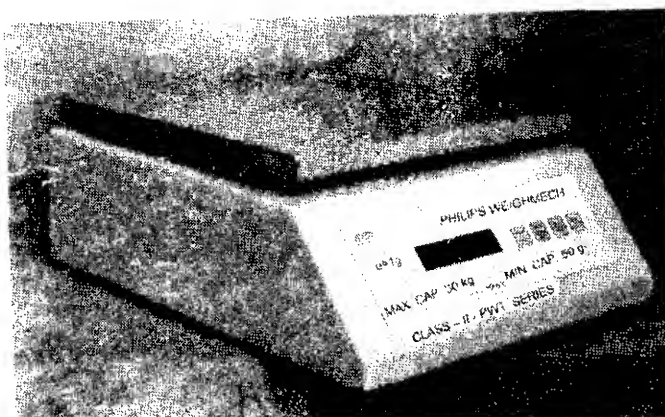
[फा. सं. डब्ल्यू एम-21(174)/2004]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st February, 2006

S.O. 943.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the non-automatic weighing instrument (Table top type) with digital indication of "PWT" series of high accuracy (accuracy class-II) and with brand name "Philips Weighmech" (herein referred to as the said Model), manufactured by M/s Philips Weighmech Private Limited, No. 260/18-20, Sane Guruji Marg, Opp. Kasturba Hospital, Jacob Circle, Mumbai-400011, Maharashtra and which is assigned the approval mark IND/09/2005/441



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 20kg and minimum capacity of 50g. The verification scale interval (e) is 1g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg to 50mg and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design, and with the same materials with which the said approved Model has been manufactured.

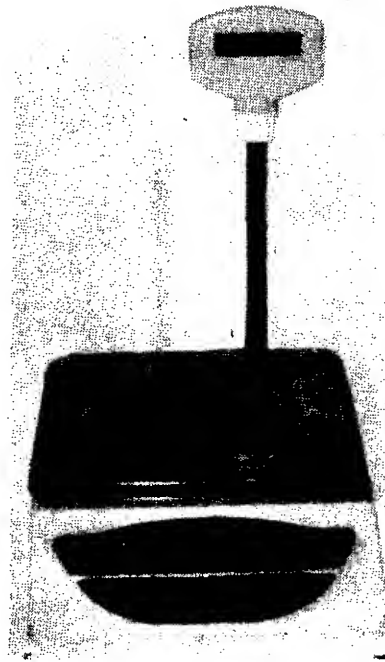
[F. No. WM-21(174)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 21 फरवरी, 2006

का.आ. 944.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एप्सन् व्हे सिस्टम, आर जेड-1Q1/43, गली नं. 8, मोहननगर, नई दिल्ली-110046 द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग-II) वाले "ई पी टी टी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "एप्सन्" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/80 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गैज प्रकार का भार सैल आधारित अस्वचालित तोलन उपकरण (टेबलटॉप प्रकार) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबंद किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. या 50 मि.ग्रा. के "ई" मान के लिए 100 से 50000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

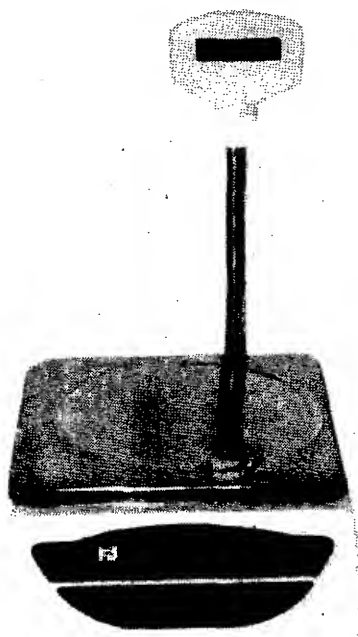
[फा. सं. डब्ल्यू एम-21(355)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st February, 2006

S.O. 944.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the the Model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (Accuracy class-II) of series "EPTT" and with brand name "EPSON" (hereinafter referred to as the said Model), manufactured by M/s. Epson Weigh System, RZ-101/43, Gali No. 8, Mohan Nagar, New Delhi-110046 and which is assigned the approval mark IND/09/2006/80;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg and minimum capacity of 100 g. The verification scale interval (e) is 2 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg to 50mg and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100 mg or more and with 'e' value of 1×10^k , 2×10^k , to 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design, and with the same materials with which, the said approved Model has been manufactured.

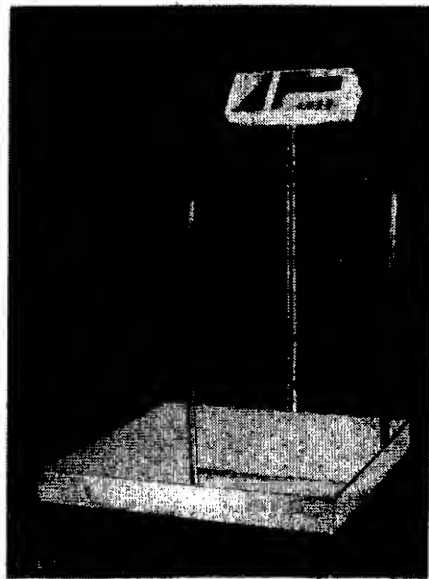
[F. No. WM-21(355)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 21 फरवरी, 2006

का.आ. 945.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एप्सन व्हे सिस्टम, आर जेड-101/43, गली नं. 8, मोहननगर, नई दिल्ली-110046 द्वारा निर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "ई पी पी एफ" शृंखला के अस्वचालित तोलन उपकरण (प्लेट फार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "एप्सन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/81 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गैज प्रकार का भार सैल आधारित अस्वचालित (प्लेट फार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 किलोग्राम और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 100 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल. ई. डी.) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान अंतराल सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

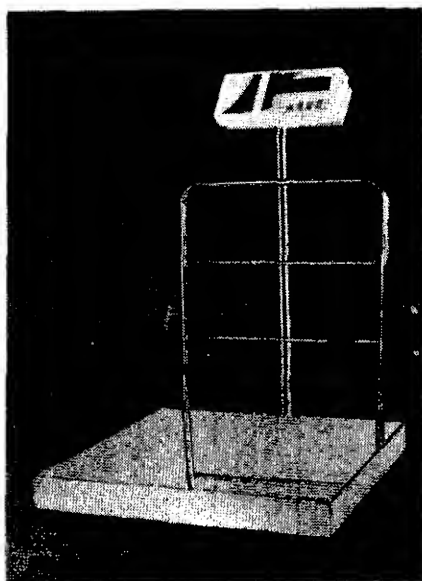
[फा. सं. डब्ल्यू एम-21(355)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st February, 2006

S.O. 945.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "EPPF" and with brand name "EPSON" (hereinafter referred to as the said Model), manufactured by M/s. Epson Weigh System, RZ-101/43, Gali No. 8, Mohan Nagar, New Delhi-110046 and which is assigned the approval mark IND/09/2006/81;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg and up to 5000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design, and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(355)/2005]

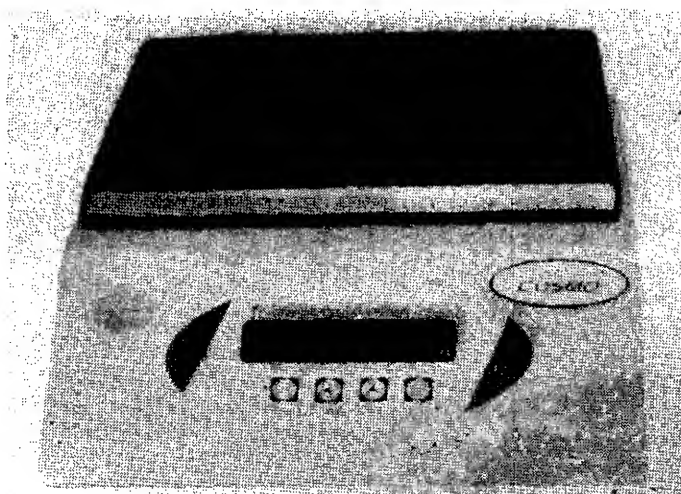
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 21 फरवरी, 2006

का.आ. 946.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स कोस्मो स्केल्स एण्ड सिस्टम्स, 131, सेक्टर-8, अर्बन एस्टेट, करनाल, हरियाणा-132 001 द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग-II) वाले "सी टी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का जिसके ब्रांड का नाम "कोस्मो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/96 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज प्रकार का भार सैल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) है। इसकी अधिकतम क्षमता 20 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबन्द किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. के "ई" मान के लिए 100 से 5,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(331)/2005]

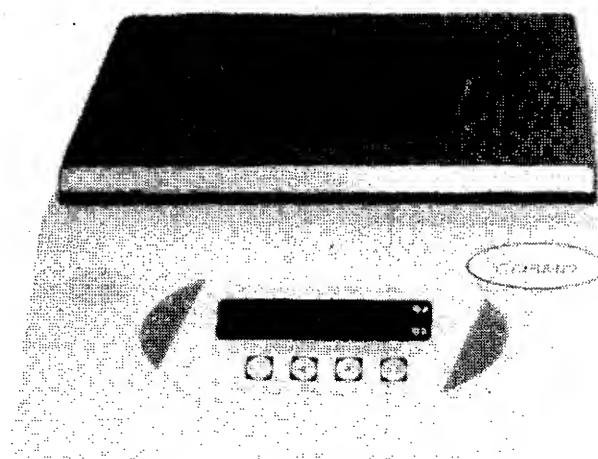
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st February, 2006

S.O. 946.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "CT" series of high accuracy (Accuracy class-II) and with brand name "COSMO" (herein after referred to as the said model), manufactured by M/s. Cosmo Scales and Systems, 131, Sector-8, Urban Estate, Karnal, Haryana-132 001 and which is assigned the approval mark IND/09/2006/96;

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 20 kg. and minimum capacity of 100 g. The verification scale interval (e) is 2 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, and 50 Hertz alternative current power supply;



In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make and performance of same series with maximum capacity up to 50 kg. and with number of verification scale interval (n) in the range of 100 to 5,000 for 'e' value of 1 mg. to 50 mg. and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(331)/2005]

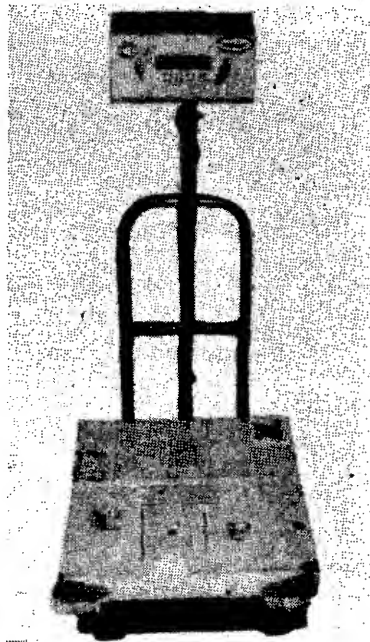
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 21 फरवरी, 2006

का.आ. 947.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स कोस्मो स्केल्स एण्ड सिस्टम्स, 131, सेक्टर-8, अर्बन एस्टेट, करनाल, हरियाणा-132001 द्वारा निर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "सी पी" श्रृंखला के अंकक सूचन सहित स्वसूचक, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "कोस्मो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/97 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज प्रकार का भार सैल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबन्द किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(331)/2005]

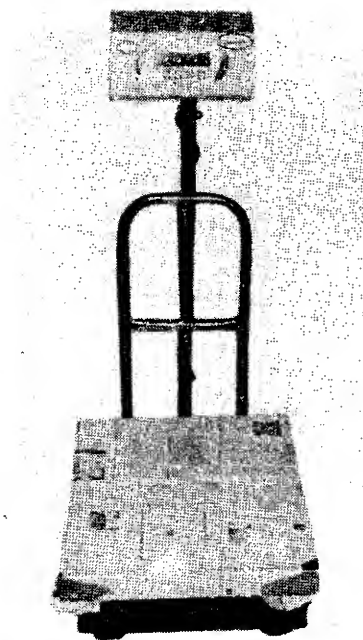
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st February, 2006

S.O. 947.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1975 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of self indicating, non-automatic (Platform type) weighing instrument with digital indication of "CP" series of medium accuracy (Accuracy class-III) and with brand name "COSMO" (hereinafter referred to as the said model), manufactured by M/s. Cosmo Scales and Systems, 131, Sector 8, Urban Estate, Karnal, Haryana-132001 and which is assigned the approval mark IND/09/2006/97;

The said model (see the figure given below) is a strain gauge type load cell based weighing instrument with a maximum capacity of 1,000 kg. and minimum capacity of 2 kg. The verification scale interval (e) is 100 g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternate current power supply;



In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50 kg. and upto 5,000 kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(331)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 22 फरवरी, 2006

का.आ. 948.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स यूनीक स्केल, 214, राजरत्न इंडस्ट्रियल एस्टेट, एस.एन.डी.टी. महिला कॉलेज के पीछे, अमेरिकन सिंग के पास मलाड (पश्चिम) मुंबई-400064 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "यू.एस.सी." शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म स्केल के लिए कनवर्शन किट) के मॉडल का जिसके ब्रांड का नाम "यूनीक स्केल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/560 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 4 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 200 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक "ई" मान के लिए 100 से 10000 तक की रेंज में सत्यापन अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिक और 5,000 कि. ग्रा. क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

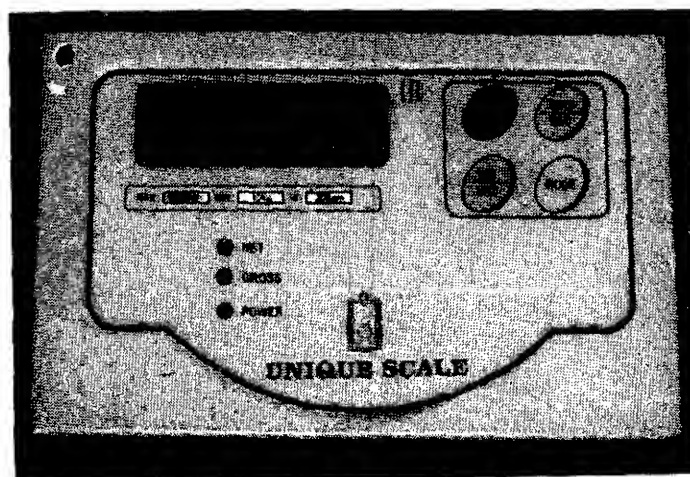
[फा. सं. डब्ल्यू एम-21(77)/2004]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 22nd February, 2006

S.O. 948.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Conversion Kit for Platform Scale) with "USC" series belonging to medium accuracy (Accuracy class-III) and with brand name "UNIQUE SCALE" (hereinafter referred to as the said model), manufactured by M/s. Unique Scale, 214, Raj-Ratna Industrial Estate, Opp. S. N. D. T. Mahila College, Near American Spring, Malad (West), Mumbai—400064 and which is assigned the approval mark IND/09/05/560;



The said model is a weighing instrument with a maximum capacity of 1000 kg. and minimum capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device with 100 per cent subtractive retained tare effect.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity above to 50 kg. and up to 5000 kg. and with number of verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2 g. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(77)/2004]

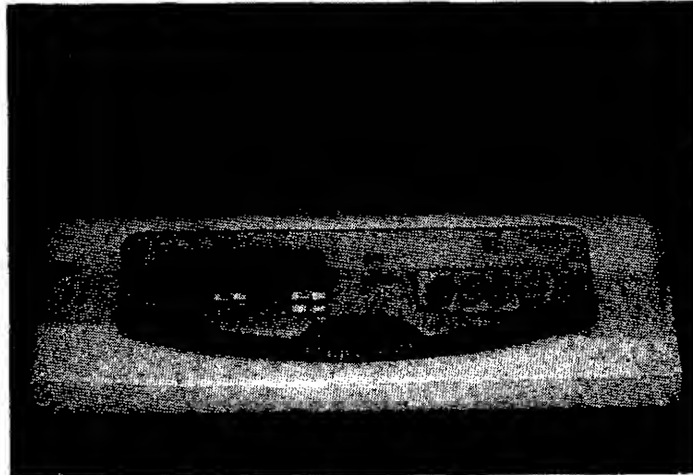
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 22 फरवरी, 2006

का.आ. 949.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स यूनीक स्केल, 214, राजरत्न इंडस्ट्रियल एस्टेट, एस.एन.डी.टी. महिला कॉलेज के पीछे, अमेरिकन स्प्रिंग के पास मलाड (पश्चिम), मुंबई-400064 द्वारा विनिर्मित मध्यम-यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "यू.एस.सी." शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (वेब्रिज स्केल के लिए कनवर्शन किट) के मॉडल का जिसके ब्रांड का नाम "यूनीक स्केल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/561 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक तोलन उपकरण है। इसकी अधिकतम क्षमता 30 टन और न्यूनतम क्षमता 200 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 10 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सोलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि.ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन अंतराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

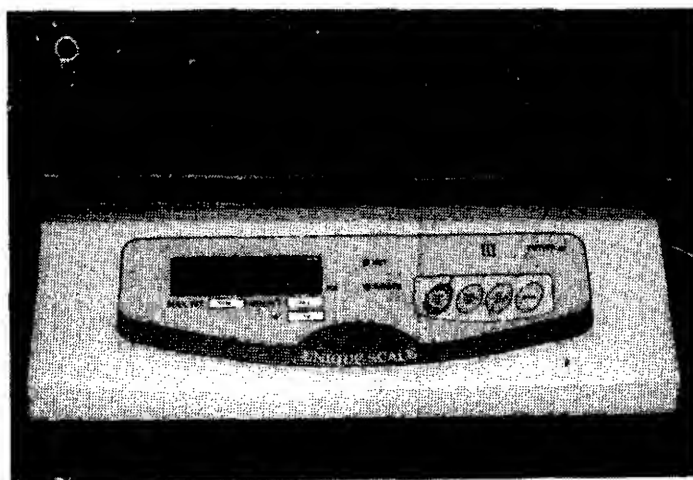
[फा. सं. डब्ल्यू एम-21(77)/2004]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 22nd February, 2006

S.O. 949.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Conversion Kit for Weighbridge) with "USC" series belonging to medium accuracy (Accuracy class-III) and with brand name "UNIQUE SCALE" (hereinafter referred to as the said model), manufactured by M/s. Unique Scale, 214, Raj-Ratna Industrial Estate, Opp. S. N. D. T. Mahila College, Near American spring, Malad (West), Mumbai-400064 and which is assigned the approval mark IND/09/05/561;



The said model is a weighing instrument with a maximum capacity of 30 tonne and minimum capacity of 200kg. The verification scale interval (e) is 10 kg. It has a tare device with 100 percent subtractive retained tare effect.

In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity above 5 tonne and up to 100 tonne and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 kg or more with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(77)/2004]

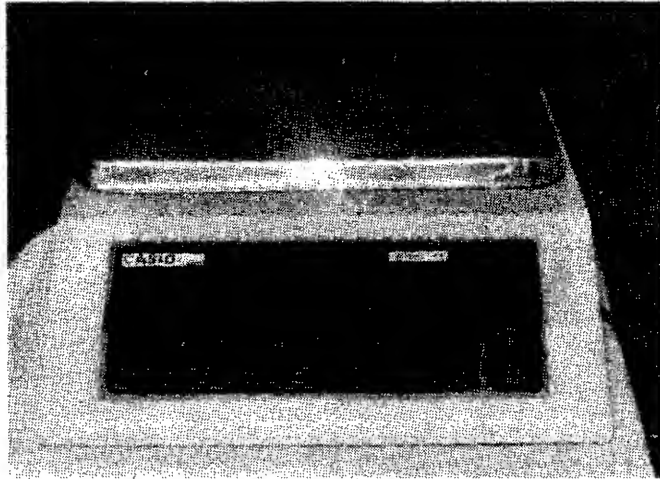
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 22 फरवरी, 2006

का.आ. 950.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स विजय एन्टरप्राइजेज, 6, थालिया कॉम्प्लैक्स, सदर बाजार, जिला बैतुल, मध्य प्रदेश द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग-II) वाले "सी टी" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप प्रकार) के मॉडल का जिसके ब्रांड का नाम "केसियो इन्ड" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/98 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गैज प्रकार का भार सैल आधारित अस्वचालित तोलन उपकरण (टेबलटॉप प्रकार) है। इसकी अधिकतम क्षमता 20 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबन्द किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्राम से 50 मि.ग्राम के "ई" मान के लिए 100 से 5,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्राम या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(330)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 22nd February, 2006

S.O. 950.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "CT" series of high accuracy (Accuracy class-II) and with brand name "CASIO IND" (hereinafter referred to as the said model), manufactured by M/s. Vijay Enterprises, 6, Thalliya Complex, Sadar Bazar, Dist. Betul, M.P. and which is assigned the approval mark IND/09/06/98;

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 20 kg. and minimum capacity of 100 g. The verification scale interval (e) is 2 g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply;



In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make and performance of same series with maximum capacity up to 50 kg. and with number of verification scale interval (u) in the range of 100 to 5,000 for 'e' value of 1 mg. to 50 mg. and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(330)/2005]

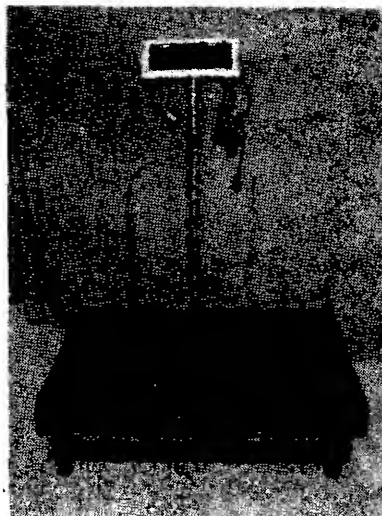
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 22 फरवरी, 2006

का.आ. 951.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स विजय एन्टरप्राइजेज, 6, थालिया कॉम्प्लैक्स, सदर बाजार, जिला बैतुल, मध्य प्रदेश द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "सी पी" शृंखला के अंकक सूचन सहित स्वसूचक, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का जिसके ब्रांड का नाम "केसियो इन्ड" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/99 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गैज प्रकार का भार सैल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबन्द किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम से अधिक और 5,000 किलोग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(330)/2005]

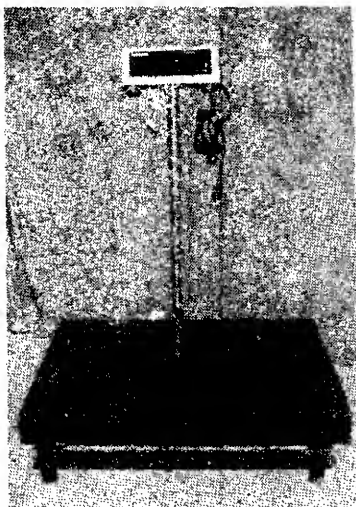
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 22nd February, 2006

S.O. 951.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of self indicating non-automatic (Platform type) weighing instrument with digital indication of "CP" series of medium accuracy (Accuracy class-III) and with brand name "CASIO IND" (hereinafter referred to as the said model), manufactured by M/s. Vijay Enterprises, 6, Thalliya Complex, Sadar Bazar, Dist. Betul, M.P. and which is assigned the approval mark IND/09/06/99;

The said model (see the figure given below) is a strain gauge type load cell based weighing instrument with a maximum capacity of 1000 kg. and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.



In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50 kg. and up to 5,000 kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(330)/2005]

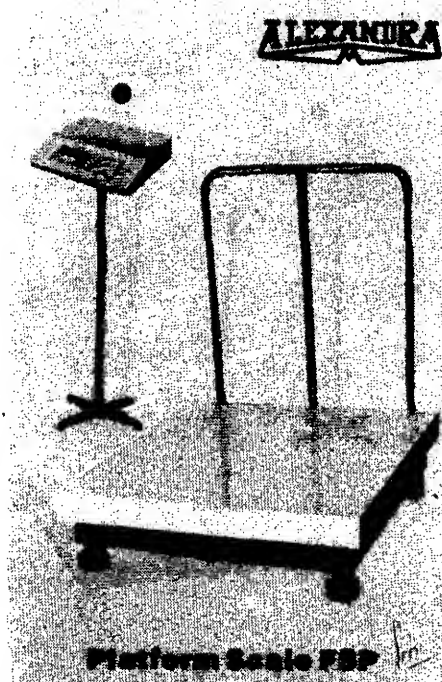
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 22 फरवरी, 2006

का.आ. 952.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एलेक्जेन्डर स्केल प्रा. लि. 12/2, आमी बाजार, बी/एच प्योति संघ, पत्थरकूवा, अहमदाबाद-380001, गुजरात द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "एफ एस पी" शृंखला के अंकक सूचन सहित अस्वचालित इलैक्ट्रॉनिक तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का जिसके ब्रांड का नाम "एलेक्जेन्डर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/972 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विकृति गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 100 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टायिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्ध भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान 1×10^3 , 2×10^3 या 5×10^3 के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(161)/2004]

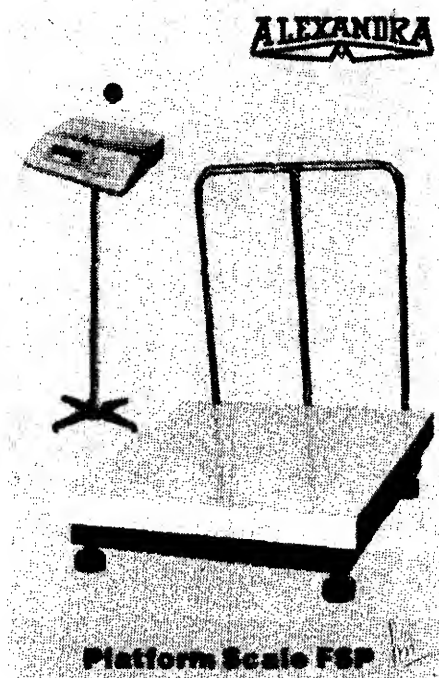
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 22nd February, 2006

S.O. 952.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) and brand name "Alexandra" and series "FSP" (hereinafter referred to as the said model), manufactured by M/s. Alexandra Scale Pvt. Ltd., 12/2, Amee Bazar, B/h Jyotisingh, Pattharkuva, Ahmedabad-380001, Gujarat and which is assigned the approval mark IND/09/05/972;

The said model (see the figure given below) is a load cell based weighing instrument with a maximum capacity of 1000kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply:



In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50kg. and up to 5000kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(161)/2004]

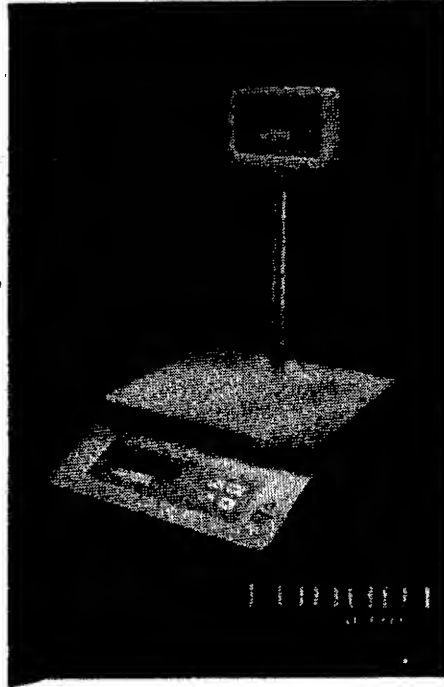
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 22 फरवरी, 2006

का.आ. 953.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एलेक्जेन्डर स्केल प्रा. लि., 12/2, आमी बाजार, बी/एच ज्योति संघ, पंथरकूवा, अहमदाबाद-380081, गुजरात द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग-II) वाले "एफ एस टी" श्रृंखला के अंकक सूचन सहित अस्वचालित इलैक्ट्रॉनिक तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का जिसके ब्रांड का नाम "एलेक्जेन्डर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/971 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 15 कि. ग्रा. है और न्यूनतम क्षमता 50 ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 1 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5000 से 50,000 तक की रेंज में सत्यापन मान अंतराल सहित 50 कि.ग्रा. से 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम्-21(161)/2004]

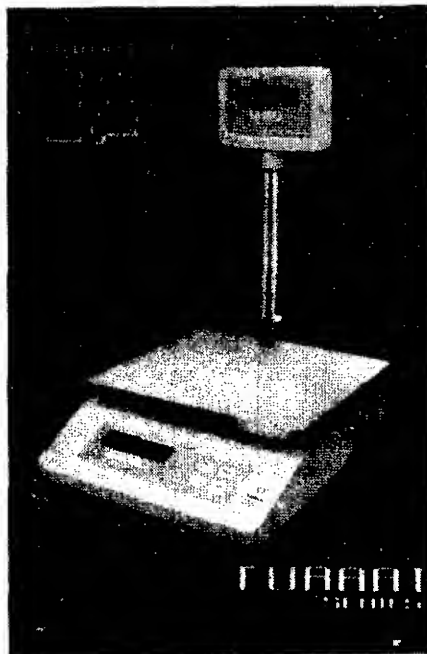
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 22nd February, 2006

S.O. 953.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Type) with digital indication of high accuracy (Accuracy class-II) and brand name "Alexandra" and series "FST" (hereinafter referred to as the said model), manufactured by M/s. Alexandra Scale Pvt. Ltd., 12/2, Amee Bazar, B/h Jyotisingh, Pattharkuva, Ahmedabad-380001, Gujarat and which is assigned the approval mark IND/09/05/971;

The said model (see the figure given below) is a load cell based weighing instrument with a maximum capacity of 15kg. and minimum capacity of 50g. The verification scale interval (e) is 1g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity up to 50kg. and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(161)/2004]

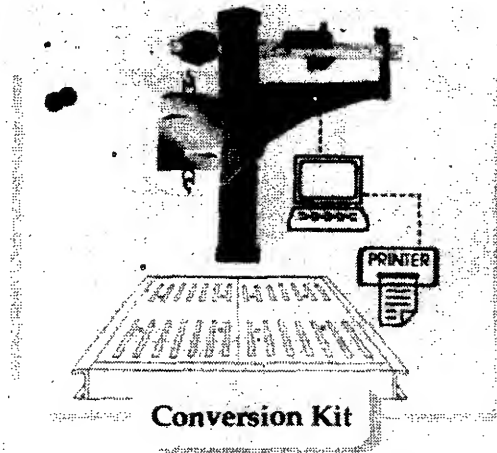
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 22 फरवरी, 2006

का.आ. 954.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एलेक्जेन्डर स्केल प्रा. लि., 12/2, आमी बाजार, बी/एच प्योति संघ, पत्थरकूवा, अहमदाबाद-38001, गुजरात द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "एफ एस सी" शृंखला के अंकक सूचन सहित अस्वचालित इलैक्ट्रॉनिक तोलन उपकरण (प्लेट फार्म प्रकार) के मॉडल का जिसके ब्रांड का नाम "एलेक्जेन्डर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/973 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृति गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 40000 कि. ग्रा. है और न्यूनतम क्षमता 100 कि. ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 5 कि. ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि. ग्राम या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान अंतराल सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और 'ई' मान 1×10^3 , 2×10^3 या 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(161)/2004]

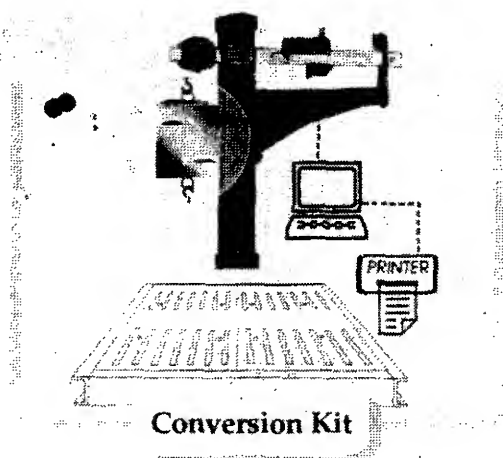
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 22nd February, 2006

S.O. 954.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (See the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Conversion kit for Weighbridge type) with digital indication of medium accuracy (Accuracy class-III) and brand name "Alexandra" and series "FSC" (hereinafter referred to as the said model), manufactured by M/s. Alexandra Scale Pvt. Ltd., 12/2, Amee Bazar, B/h Jyotisangh, Pattharkuva, Ahmedabad-380001, Gujarat and which is assigned the approval mark IND/09/05/973;

The said model (see the figure given below) is a load cell based weighing instrument with a maximum capacity of 40000 kg. and minimum capacity of 100 kg. The verification scale interval (e) is 5 kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts, and 50 Hertz alternate current power supply;



In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 kg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k kg, being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(161)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 22 फरवरी, 2006

का.आ. 955.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स भगवानजी जीवन एंड संस, रीवर बैंक, सावरकुण्डला, गुजरात-364515 द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग-II) वाले "बी जे-टी पी-1" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का जिसके ब्रांड का नाम "सोनाटा एक्स लेन्ट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/949 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृति गेज प्रकार का भार सैल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) है। इसकी अधिकतम क्षमता 22 कि. ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबन्द किया जाएगा।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. के 'ई' मान के लिए 100 से 5,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के 'ई' मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू.एम-21(77)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 22nd February, 2006

S.O. 955.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "BJ-TT-1" series of high accuracy (Accuracy class-II) and with brand name "SONATA X Lent" (hereinafter referred to as the said model), manufactured by M/s. Bhagvanji Jivan & Sons, River Bank, Savarkundala-364515 and which is assigned the approval mark IND/09/2005/949;

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 22 kg. and minimum capacity of 100 g. The verification scale interval (e) is 2 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply;



In addition to sealing the stamping plate sealing shall also be done to prevent the opening machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make accuracy and performance of same series with maximum capacity up to 50 kg. and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg. to 50 mg. and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(77)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 22 फरवरी, 2006

का.अम. 956.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स भगवानजी जीवन एंड संस, रीवर बैंक, सावरकुण्डला, गुजरात-364515 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "बी जे-टी टी-II" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का जिसके ब्रांड का नाम "सोनाटा एक्स लेन्ट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/950 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गैज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) है। इसकी अधिकतम क्षमता 15 किग्रा. है और न्यूनतम क्षमता 40 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबन्द किया जाएगा।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्राम से 2 ग्राम के 'ई' मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्राम या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम तक की अधिकतम क्षमता वाले हैं और 'ई' मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(77)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

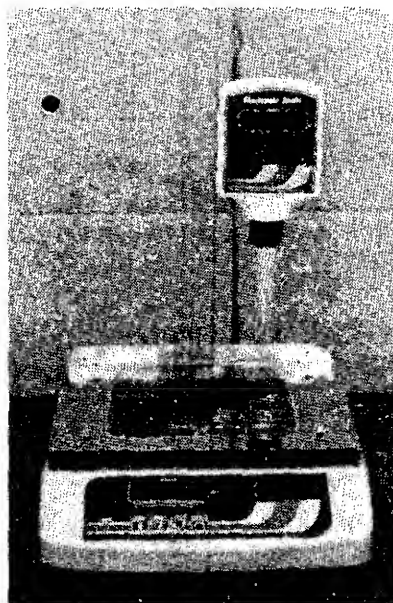
New Delhi, the 22nd February, 2006

S.O. 956.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of “BJ-TT-II” series of medium accuracy (Accuracy class-III) and with brand name “SONATA X Lent” (hereinafter referred to as the said model), manufactured by M/s. Bhagvanji Jivan & Sons, River Bank, Savarkundala-364515 and which is assigned the approval mark IND/09/05/950;

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 15kg and minimum capacity of 40g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternate current power supply;

In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices.



Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg and with number of verification scale interval (n) in the range of 100 to 10,000 for ‘e’ value of 100mg to 2g or with number of verification scale interval (n) in the range of 500 to 10,000 for ‘e’ value of 5g or more and with ‘e’ value 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(77)/2005]

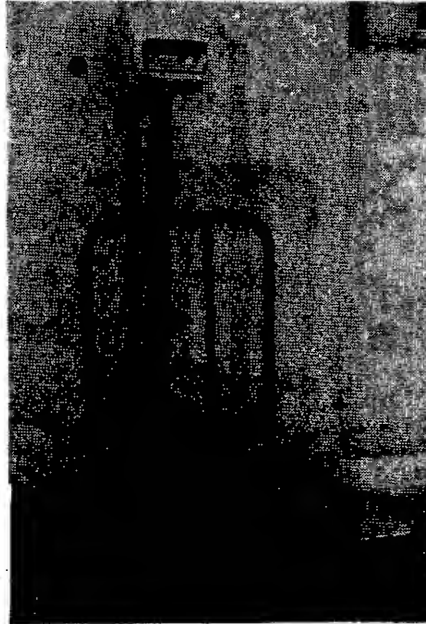
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 22 फरवरी, 2006

का.आ. 957.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स भगवानजी जीवन एंड संस, रीवर बैंक, सावरकुण्डला, गुजरात-364515 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले "बी जे-टी टी-1" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "सोनाटा एक्स लेन्ट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/951 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गैज प्रकार का भार सैल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 1000 किलो ग्राम है और न्यूनतम क्षमता 2 किलो ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबन्द किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के "ई" मान के लिए 500 से 10000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम से अधिक और 5000 किलोग्राम तक की अधिकतम क्षमता वाले हैं और 'ई' मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(77)/2005]

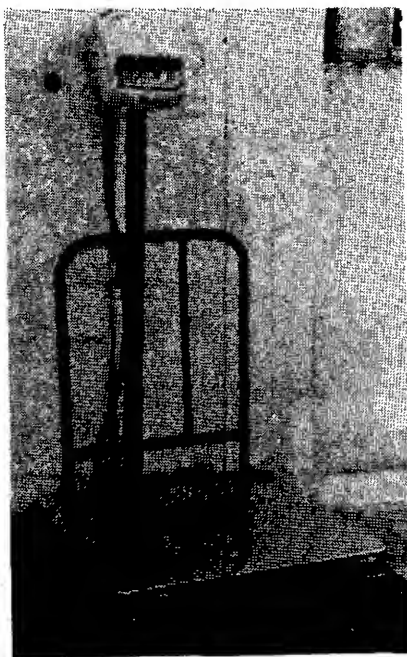
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 22nd February, 2006

S.O. 957.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Platform type) with digital indication of "BJ-TP-I" series of medium accuracy (Accuracy class-III) and with brand name "SONATA X Lent" (hereinafter referred to as the said model), manufactured by M/s. Bhagvanji Jivan & Sons, River Bank, Savarkundala-364515 and which is assigned the approval mark IND/09/2005/951:

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with maximum capacity of 1000 kg. and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternate current power supply:



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and upto 5000 kg and with number of verification scale interval (n) in the range of 500 to 10000 for 'e' value of to 5g or more and with 'e' value 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(77)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

कोयला मंत्रालय
नई दिल्ली, 27 फरवरी, 2006

का. आ. 958.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है ;

अतः अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन एवं विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उस क्षेत्र में कोयले का पूर्वक्षण करने के अपने आशय की सूचना देती हैं;

इस अधिसूचना के अंतर्गत आने वाले क्षेत्र का जिसका रेखांक सं. ई.सी.एल./एस.बी.पी./एस.यू.आर. भी./2005/10 तारीख 26-8-2005 का निरीक्षण निदेशक (तकनीकी) (पी.एवं पी.) ईस्टर्न कोलफील्ड्स लि. सेंकटोरिया, डाकघर - दिसेरगढ़, जिला - बर्दवान, पिन-713333 (प. बंगाल) के कार्यालय में कलक्टर, बर्दवान, पिन- 713333 पश्चिमी बंगाल के कार्यालय में, या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकाता 700001 के कार्यालय में किया जा सकता है ;

इस अधिसूचना के अंतर्गत आने वाली भूमि में हितवद्ध कोई व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शे, चार्ट, और अन्य दस्तावेज, इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन के भीतर, निदेशक (तकनीकी) (पी.एवं पी.) ईस्टर्न कोलफील्ड्स लि. सेंकटोरिया, डाकघर - दिसेरगढ़, जिला - बर्दवान-(पिन - 713333) (प. बंगाल) को भेजेगा ।

अनुसूची

खण्ड- सोनपुर रानीगंज कोयला क्षेत्र
जिला बर्दवान (प. बंगाल)

क्रम सं०	मौजा(ग्राम) का नाम	जे.एल सं०	थाना	जिला	क्षेत्र हेक्टेयर	टिप्पणियां
1.	केन्द्रा खोटाडीह	1	पांडवेश्वर	बर्दवान	30.00	भाग
2.	बीलपहारी	2	पांडवेश्वर	बर्दवान	39.00	भाग
3.	दालूरबांध	4	पांडवेश्वर	बर्दवान	200	भाग
4.	चक्राला	11	पांडवेश्वर	बर्दवान	3.00	भाग
5.	जोआलभांगा	12	पांडवेश्वर	बर्दवान	77.00	भाग

6.	भाटमूरा	13	पांडवेश्वर	बर्दवान	68.00	भाग
7.	कोनारडीही	14	पांडवेश्वर	बर्दवान	57.00	भाग
8.	नवग्राम	20	पांडवेश्वर	बर्दवान	175.00	भाग
9.	भालूका	21	पांडवेश्वर	बर्दवान	83.12	भाग
10.	सोनपूर	22	पांडवेश्वर	बर्दवान	365.88	भाग
11.	बाजारी	23	पांडवेश्वर	बर्दवान	70.00	भाग
12.	शंकरपूर	28	पांडवेश्वर	बर्दवान	43.00	भाग
				कुल	1211.00	(लगभग)

सीमा विवरण

प्लेट - क

- क 1 - क 2 रेखा क 1 बिन्दु से प्रारम्भ होती है और मौजा क्रेन्द्रा- खोटाडीह से होकर जाती है तथा क 2 बिन्दु पर मिलती है ।
- क 2 - क 3 रेखा क 2 बिन्दु से प्रारम्भ होती है और मौजा- बिलपहारी से होकर जाती है तथा क 3 बिन्दु पर मिलती है ।
- क 3 - क 4 रेखा क 3 बिन्दु से प्रारम्भ होती है और मौजा - दालुरबांध से होकर जाती है तथा क 4 बिन्दु पर मिलती है ।
- क 4 - क 5 रेखा क 4 बिन्दु से प्रारम्भ होती है और मौजा दालुरबांध से होकर जाती है तथा क 5 बिन्दु पर मिलती है ।
- क 5-क 6 रेखा क 5 बिन्दु से प्रारम्भ होती है और मौजा दालुरबांध से होकर जाती है तथा क 6 बिन्दु पर मिलती है ।
- क 6- क 7 रेखा क 6 बिन्दु से प्रारम्भ होती है और मौजा दालुरबांध से होकर जाती है तथा क 7 बिन्दु पर मिलती है ।
- क 7-क 8 रेखा क 7 बिन्दु से प्रारम्भ होती है और मौजा सोनपुर से होकर जाती है तथा क 8 बिन्दु पर मिलती है ।
- क 8-क 9 रेखा क 8 बिन्दु से प्रारम्भ होती है और मौजा भालुका से होकर जाती है तथा क 9 बिन्दु पर मिलती है ।
- क 9-क 10 रेखा क 9 बिन्दु से प्रारम्भ होती है और मौजा भालुका से होकर जाती है तथा क 10 बिन्दु पर मिलती है ।
- क 10- क 11 रेखा क 10 बिन्दु से प्रारम्भ होती है और मौजा सोनपूर से होकर जाती है तथा क 11 बिन्दु पर मिलती है ।

- क 11- क 12** रेखा क 11 बिन्दु से प्रारम्भ होती है और मौजा बाजारी से होकर जाती है तथा क 12 बिन्दु पर मिलती है ।
- क 12- क 13** रेखा क 12 बिन्दु से प्रारम्भ होती है और मौजा बाजारी से होकर जाती है तथा क 13 बिन्दु पर मिलती है ।
- क 13- क 14** रेखा क 13 बिन्दु से प्रारम्भ होती है और मौजा बाजारी से होकर जाती है तथा क 14 बिन्दु पर मिलती है ।
- क 14- क 15** रेखा क 14 बिन्दु से प्रारम्भ होती है और मौजा बाजारी से होकर जाती है तथा क 15 बिन्दु पर मिलती है ।
- क 15- क 16** रेखा क 15 बिन्दु से प्रारम्भ होती है और मौजा बाजारी से होकर जाती है तथा क 16 बिन्दु पर मिलती है ।
- क 16- क 17** रेखा क 16 बिन्दु से प्रारम्भ होती है और मौजा बाजारी से होकर जाती है तथा क 17 बिन्दु पर मिलती है ।
- क 17 -क 1** रेखा क 17 बिन्दु से प्रारम्भ होती है और मौजा बाजारी से होकर जाती है तथा क 1 बिन्दु पर मिलती है ।

प्लेट - ख

- क 6- ख 1** रेखा क 6 बिन्दु से प्रारम्भ होती है और मौजा दालुरबांध से होकर जाती है तथा ख 1 बिन्दु पर मिलती है ।
- ख 1 - ख 2** रेखा ख 1 बिन्दु से प्रारम्भ होती है और मौजा चक्राला से होकर जाती है तथा ख 2 बिन्दु पर मिलती है ।
- ख 2 - ख 3** रेखा ख 2 बिन्दु से प्रारम्भ होती है और मौजा चक्राला से होकर जाती है तथा ख 3 बिन्दु पर मिलती है ।
- ख 3 - ख 4** रेखा ख 3 बिन्दु से प्रारम्भ होती है और मौजा जवालभांगा से होकर जाती है तथा ख 4 बिन्दु पर मिलती है ।
- ख 4 - ख 5** रेखा ख 4 बिन्दु से प्रारम्भ होती है और मौजा जवालभांगा से होकर जाती है तथा ख 5 बिन्दु पर मिलती है ।
- ख 5 - ख 6** रेखा ख 5 बिन्दु से प्रारम्भ होती है और मौजा जवालभांगा से होकर जाती है तथा ख 6 बिन्दु पर मिलती है ।

- ख 6 - ख 7 रेखा ख 6 बिन्दु से प्रारम्भ होती है और मौजा भाटमोरा से होकर जाती है तथा ख 7 बिन्दु पर मिलती है ।
- ख 7 - ख 8 रेखा ख 7 बिन्दु से प्रारम्भ होती है और मौजा कोनारडीही से होकर जाती है तथा ख 8 बिन्दु पर मिलती है ।
- ख 8 - ख 9 रेखा ख 8 बिन्दु से प्रारम्भ होती है और मौजा नबग्राम से होकर जाती है तथा ख 9 बिन्दु पर मिलती है ।
- ख 9 - ख 10 रेखा ख 9 बिन्दु से प्रारम्भ होती है और मौजा नबग्राम से होकर जाती है तथा ख 10 बिन्दु पर मिलती है ।
- ख 10 - ख 11 रेखा ख 10 बिन्दु से प्रारम्भ होती है और मौजा नबग्राम से होकर जाती है तथा ख 11 बिन्दु पर मिलती है ।
- ख 11 - ख 12 रेखा ख 11 बिन्दु से प्रारम्भ होती है और मौजा कोनारडीही से होकर जाती है तथा ख 12 बिन्दु पर मिलती है ।
- ख 12 - ख 13 रेखा ख 12 बिन्दु से प्रारम्भ होती है और मौजा नबग्राम से होकर जाती है तथा ख 13 बिन्दु पर मिलती है ।
- ख 13 - ख 14 रेखा ख 13 बिन्दु से प्रारम्भ होती है और मौजा भालुका से होकर जाती है तथा ख 14 बिन्दु पर मिलती है ।
- ख 14 - क 9 रेखा ख 14 बिन्दु से प्रारम्भ होती है और मौजा भालुका से होकर जाती है तथा क 9 बिन्दु पर मिलती है ।
- क 9 - क 8 रेखा क 9 बिन्दु से प्रारम्भ होती है और मौजा भालुका से होकर जाती है तथा क 8 बिन्दु पर मिलती है ।
- क 8 - क 7 रेखा क 8 बिन्दु से प्रारम्भ होती है और मौजा सोनपुर से होकर जाती है तथा क 7 बिन्दु पर मिलती है ।
- क 7 - क 6 रेखा क 7 बिन्दु से प्रारम्भ होती है और मौजा दालुरबांध से होकर जाती है तथा क 6 बिन्दु पर मिलती है ।

प्लेट - ग

- ख 9 - ग 1 रेखा ख 9 बिन्दु से प्रारम्भ होती है और मौजा नबग्राम से होकर जाती है तथा ग 1 बिन्दु पर मिलती है ।

- ग 1 - ग 2 रेखा ग 1 बिन्दु से प्रारम्भ होती है और मौजा नबग्राम से होकर जाती है तथा ग 2 बिन्दु पर मिलती है ।
- ग 2 - ग 3 रेखा ग 2 बिन्दु से प्रारम्भ होती है और मौजा नबग्राम से होकर जाती है तथा ग 3 बिन्दु पर मिलती है ।
- ग 3 - ग 4 रेखा ग 3 बिन्दु से प्रारम्भ होती है और मौजा शंकरपुर से होकर जाती है तथा ग 4 बिन्दु पर मिलती है ।
- ग 4 - ग 5 रेखा ग 4 बिन्दु से प्रारम्भ होती है और मौजा शंकरपुर से होकर जाती है तथा ग 5 बिन्दु पर मिलती है ।
- ग 5 - ग 6 रेखा ग 5 बिन्दु से प्रारम्भ होती है और मौजा शंकरपुर से होकर जाती है तथा ग 6 बिन्दु पर मिलती है ।
- ग 6 - ग 7 रेखा ग 6 बिन्दु से प्रारम्भ होती है और मौजा शंकरपुर से होकर जाती है तथा ग 7 बिन्दु पर मिलती है ।
- ग 7 - ग 8 रेखा ग 7 बिन्दु से प्रारम्भ होती है और मौजा शंकरपुर से होकर जाती है तथा ग 8 बिन्दु पर मिलती है ।
- ग 8 - ग 9 रेखा ग 8 बिन्दु से प्रारम्भ होती है और मौजा नबग्राम से होकर जाती है तथा ग 9 बिन्दु पर मिलती है ।
- ग 9 - ग 10 रेखा ग 9 बिन्दु से प्रारम्भ होती है और मौजा नबग्राम से होकर जाती है तथा ग 10 बिन्दु पर मिलती है ।
- ग 10 - ग 10 रेखा ग 10 बिन्दु से प्रारम्भ होती है और मौजा नबग्राम से होकर जाती है तथा ग 10 बिन्दु पर मिलती है ।
- ख 10 - ख 9 रेखा ख 10 बिन्दु से प्रारम्भ होती है और मौजा नबग्राम से होकर जाती है तथा ख 9 बिन्दु पर मिलती है ।

[फा. सं. -43015/9/2005-पी.आर.आई.डब्ल्यू.]

एम. शहाबुद्दीन, अवर सचिव

Ministry of Coal

New Delhi, the 27th February, 2005

S. O. 958.—Whereas it appears to the Central Government that Coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), (herein after referred to as the said Act) the Central Government hereby gives notice of its intention to prospect for coal therein.

The Plan bearing no. ECL/SBP/SURV/2005/10 dt. 26.8.05 of the area covered by this notification can be inspected at the office of the Director (Tech) (P&P), Eastern Coalfields Limited, Sanctoria, P.O. Dishergarh, Dist.: Burdwan (West Bengal) Pin- 713333 or in the office of the Collector, Burdwan (West Bengal) or in the Office of the Coal Controller, 1, Council House Street, Kolkata;

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Director (Tech) (P&P), Eastern Coalfields Limited, Sanctoria, within ninety days from the date of the publication of this notification in the Official Gazette.

Schedule

**Block – Sonapur, Raniganj Coalfields
District Burdwan (West Bengal)**

Drawing No. ECL/SBP/Surv/2005/10 dt. 26.08.2005

Sl. No.	Mouza (Village)	JL No.	Police Station (Thana)	District	Area in Hectare	Remarks
1.	Kendra Khottadi	1	Pandaveswar	Burdwan	30.00	Part
2.	Bilpahari	2	-do-	-do-	39.00	Part
3.	Dalurbandh	4	-do-	-do-	200.00	Part
4.	Chakkarala	11	-do-	-do-	3.00	Part
5.	Joalbhangra	12	-do-	-do-	77.00	Part
6.	Bhatmura	13	-do-	-do-	68.00	Part
7.	Konardihi	14	-do-	-do-	57.00	Part
8.	Nabagram	20	-do-	-do-	175.00	Part
9.	Bhaluka	21	-do-	-do-	83.12	Part
10.	Sonapur	22	-do-	-do-	365.88	Part
11.	Bazari	23	-do-	-do-	70.00	Part
12.	Shankarpur	28	-do-	-do-	43.00	Part
Total :					1211.00	(approx.)

Boundary description :

Plate – A

A1-A2	Line starts from point A1 and passes through mouza Kendra-Khottadi and meets at point A2.
A2-A3	Line starts from point A2 and passes through Mouza Bilpahari and meets at point A3.

A3-A4	Line starts from point A3 and passes through mouza Dalurband and meets at point A4.
A4-A5	Line starts from point A4 and passes through mouza Dalurband and meets at point A5.
A5-A6	Line starts from point A5 and passes through mouza Dalurband and meets at point A6.
A6-A7	Line starts from point A6 and passes through mouza Dalurband and meets at point A7.
A7-A8	Line starts from point A7 and passes through mouza Sonepur and meets at point A8.
A8-A9	Line starts from point A8 and passes through mouza Bhaluka and meets at point A9.
A9-A10	Line starts from point A9 and passes through mouza Bhaluka and meets at point A10.
A10-A11	Line starts from point A10 and passes through mouza Sonepur and meets at point A11.
A11-A12	Line starts from point A11 and passes through mouza Bazari and meets at point A12.
A12-A13	Line starts from point A12 and passes through mouza Bazari and meets at point A13.
A13-A14	Line starts from point A13 and passes through mouza Bazari and meets at point A14.
A14-A15	Line starts from point A14 and passes through mouza Bazari and meets at point A15.
A15-A16	Line starts from point A15 and passes through mouza Bazari and meets at point A16.
A16-A17	Line starts from point A16 and passes through mouza Bazari and meets at point A17.
A17-A1	Line starts from point A17 and passes through mouza Bazari and meets at point A1.

Plate – B

A6-B1	Line starts from point A6 and passes through mouza Dalurband and meets at point B1.
B1-B2	Line starts from point B1 and passes through mouza Chakkarala and meets at point B2.
B2-B3	Line starts from point B2 and passes through mouza Chakkarala and meets at point B3.
B3-B4	Line starts from point B3 and passes through mouza Joalbhanga and meets at point B4.
B4-B5	Line starts from point B4 and passes through mouza Joalbhanga and meets at point B5.

B5-B6	Line starts from point B5 and passes through mouza Joalbhanga and meets at point B6.
B6-B7	Line starts from point B6 and passes through mouza Bhatmura and meets at point B7.
B7-B8	Line starts from point B7 and passes through mouza Konardihi and meets at point B8.
B8-B9	Line starts from point B8 and passes through mouza Nabagram and meets at point B9.
B9-B10	Line starts from point B9 and passes through mouza Nabagram and meets at point B10.
B10-B11	Line starts from point B10 and passes through mouza Nabagram and meets at point B11.
B11-B12	Line starts from point B11 and passes through mouza Konardihi and meets at point B12.
B12-B13	Line starts from point B12 and passes through mouza Nabagram and meets at point B13.
B13- B14	Line starts from point B13 and passes through mouza Bhaluka and meets at point B14.
B14- A9	Line starts from point B14 and passes through mouza Bhaluka and meets at point A9.
A9-A8	Line starts from point A9 and passes through mouza Bhaluka and meets at point A8.
A8-A7	Line starts from point A7 and passes through mouza Sonepur and meets at point A8.
A7-A6	Line starts from point A7 and passes through mouza Dalurbandh and meets at point A6.

Plate – C

B9-C1	Line starts from point B9 and passes through mouza Nabagram and meets at point C1.
C1-C2	Line starts from point C1 and passes through mouza Nabagram and meets at point C2.
C2-C3	Line starts from point C2 and passes through mouza Nabagram and meets at point C3.
C3-C4	Line starts from point C3 and passes through mouza Shankarpur and meets at point C4.
C4-C5	Line starts from point C4 and passes through mouza Shankarpur and meets at point C5.
C5-C6	Line starts from point C5 and passes through mouza Shankarpur and meets at point C6.

C6-C7	Line starts from point C6 and passes through mouza Shankarpur and meets at point C7.
C7-C8	Line starts from point C7 and passes through mouza Shankarpur and meets at point C8.
C8-C9	Line starts from point C8 and passes through mouza Nabagram and meets at point C9.
C9-C10	Line starts from point C9 and passes through mouza Nabagram and meets at point C10.
C10-B10	Line starts from point C10 and passes through mouza Nabagram and meets at point B10.
B10-B9	Line starts from point B10 and passes through mouza Nabagram and meets at point B9.

[No. 43015/9/2005-PRIW]

M. SHAHABUDEEN, Under Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 3 मार्च, 2006

का. आ. 959.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2595 तारीख 8 जुलाई, 2005, जो भारत के राजपत्र तारीख 23 जुलाई, 2005 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में महाराष्ट्र राज्य में लोनी (पुणे) से पकनी (सोलापुर) तक हजारवाडी के रास्ते पेट्रोलियम उत्पादों के परिवहन के लिए मुम्बई-पुणे पाइपलाइन विस्तार परियोजना के माध्यम से हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 6 दिसम्बर, 2005 को उपलब्ध करा दी गई थीं ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाए ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगमों से मुक्त, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तालुका : पलुस		जिला : सांगली		राज्य : महाराष्ट्र			
क्रम सं.	गाव का नाम	सर्वे नंबर	गट नंबर	उप-खण्ड सं.	क्षेत्रफल		
					हेक्टर	एयर	वर्ग मीटर
1	2	3	4	5	6	7	8
1	आंधली		738	2	00	02	92
			116		00	05	78
			213		00	04	29
			208		00	30	54
			189		00	06	30
			190		00	06	16
			191		00	01	19
			209		00	08	88
			206		00	00	60
			कुल		00	66	66
2	मोराले		241		00	06	65
			240		00	04	27
			239		00	00	60
			238		00	00	60
			233		00	00	71
			231		00	00	60
			कुल		00	13	43
3	बांबवडे		1036		00	01	43
			1040		00	05	85
			1016		00	00	71
			1014		00	00	49
			1059		00	00	30
			1000		00	03	83
			995		00	00	53
			984		00	02	50
			951		00	00	30
			950		00	02	41
			948		00	00	30
			925		00	01	16
			924		00	00	30
			923		00	00	62
			803		00	01	34
			796		00	00	65
			1291		00	00	37
			761		00	01	85
			760		00	00	30
			756		00	00	44
			755		00	00	80
			754		00	00	60

तालूका : पलुस		जिला : सांगली		राज्य : महाराष्ट्र			
क्रम सं.	गाव का नाम	सर्वे नंबर	गट नंबर	उप-खण्ड सं.	क्षेत्रफल		
					हेक्टर	एयर	वर्ग मीटर
1	2	3	4	5	6	7	8
3	बांबवडे (निरंतर)		734		00	04	49
			494		00	00	48
			497		00	02	63
			427		00	01	74
			405		00	00	48
			412		00	07	05
कुल					00	43	95
4	हजारवाडी		6		00	02	20
			8		00	34	12
			129		00	08	80
			134		00	00	85
			135		00	00	60
			136		00	00	37
			116		00	07	34
			66		00	73	00
			64		00	28	79
कुल					01	56	07

[फा. सं. आर-31015/27/2004-ओ.आर. II]

हरीश कुमार, अवर सचिव

Ministry of Petroleum and Natural Gas

New Delhi, the 3th March, 2006

S. O. 959.— Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2595, dated the 8th July, 2005, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India dated the 23rd July, 2005, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying an extension pipeline for transportation of petroleum products through Mumbai-Pune Pipeline Extension Project from Loni (Pune) to Pakni (Solapur) via Hazarwadi in the State of Maharashtra by Hindustan Petroleum Corporation Limited;

And whereas the copies of the said Gazette notification were made available to the public on the 6th December, 2005;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration, in Hindustan Petroleum Corporation Limited, free from all encumbrances.

SCHEDULE

Taluka : PALUS		District : SANGLI			State : MAHARASHTRA		
Sr. No.	Name of the Village	Survey No.	Gat No.	Sub-Division No.	Area		
					Hectare	Are	Sq.mt
1	2	3	4	5	6	7	8
1	ANDHALI		738		00	02	92
			116		00	05	78
			213	2	00	04	29
			208		00	30	54
			189		00	06	30
			190		00	06	16
			191		00	01	19
			209		00	08	88
			206		00	00	60
			Total		00	66	66
2	MORALE		241		00	06	65
			240		00	04	27
			239		00	00	60
			238		00	00	60
			233		00	00	71
			231		00	00	60
			Total		00	13	43
3	BAMBAVADE		1036		00	01	43
			1040		00	05	85
			1016		00	00	71
			1014		00	00	49
			1059		00	00	30
			1000		00	03	83
			995		00	00	53
			984		00	02	50
			951		00	00	30
			950		00	02	41
			948		00	00	30
			925		00	01	16
			924		00	00	30
			923		00	00	62
			803		00	01	34
			796		00	00	65
			1291		00	00	37
			761		00	01	85
			760		00	00	30
			756		00	00	44
			755		00	00	80
			754		00	00	60

Taluka : PALUS			District : SANGLI		State : MAHARASHTRA		
Sr. No.	Name of the Village	Survey No.	Gat No.	Sub-Division No.	Area		
					Hectare	Are	Sq.mt
1	2	3	4	5	6	7	8
3 BAMBAVADE (Contd.)			734		00	04	49
			494		00	00	48
			497		00	02	63
			427		00	01	74
			405		00	00	48
			412		00	07	05
Total					00	43	95
4 HAZARWADI			6		00	02	20
			8		00	34	12
			129		00	08	80
			134		00	00	85
			135		00	00	60
			136		00	00	37
			116		00	07	34
			66		00	73	00
			64		00	28	79
Total					01	56	07

[No. R-31015/27/2004-O.R.-II]
HARISH KUMAR, Under Secy.

नई दिल्ली, 7 मार्च, 2006

का. आ. 960.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में प्रयोग के अधिकार का अर्जन), अधिनियम, 1962 (1962 का 50) की धारा 2 के खण्ड (क) के अनुसरण में और अधिसूचना संख्या का. आ. 1338, तारीख 30 अप्रैल, 2003 को जो भारत के राजपत्र भाग 2, खण्ड 3, उपखण्ड (ii) तारीख 3 मई, 2003 को प्रकाशित की गई थी अधिकृत करते हुए नीचे दी गई सारणी के स्तंभ (1) में उल्लिखित व्यक्तियों को, गुजरात राज्य में उक्त सारणी के स्तंभ (2) में विनिर्दिष्ट क्षेत्रों में अवस्थित विभिन्न उपभोक्ताओं को वितरण के लिए गुजरात में जामनगर और हजीरा स्थित एल. एन. जी. टर्मिनल से गुजरात राज्य और पार्श्वस्थ राजस्थान और मध्यप्रदेश राज्य तक पुनः वाष्पित प्राकृतिक गैस के परिवहन के लिए भूतपूर्व मेसर्स गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड, (जी. टी.आई. सी. एल.) जिसका नाम अब मेसर्स रिलाएंस गैस पाइपलाइनस लिमिटेड रखा गया है एवं जिसका रजिस्ट्रीकृत कार्यालय 101, शिवम अपार्टमेंट, 9 पटेल कलोनी, बेदी बंदर रोड, जामनगर-8 में है, द्वारा पाइपलाइन बिछाने के लिए उक्त अधिनियम के अधीन सक्षम प्राधिकारियों के कृत्यों का पालन करने के लिए प्राधिकृत करती है, अर्थात् -

अनुसूची

व्यक्तियों के नाम और पते	अधिकारिता का क्षेत्र
(1)	(2)

1. श्री के. बी. पाठक, सेवानिवृत्त गुजरात राज्य
प्रशासनिक सेवा के अधिकारी मार्फत मैसर्स रिलाएंस
गैस पाइपलाइन्स लमिटेड, 101, शिवम अपार्टमेंट,
9 पटेल कलोनी, बेदी बंदर रोड, जामनगर-8

गुजरात राज्य के सारे जिले

2. श्री ए. के. संघवी, सेवानिवृत्त गुजरात राज्य
प्रशासनिक सेवा के अधिकारी मार्फत मैसर्स रिलाएंस
गैस पाइपलाइन्स लमिटेड, 101, शिवम अपार्टमेंट,
9 पटेल कलोनी, बेदी बंदर रोड, जामनगर-8

गुजरात राज्य के सारे जिले

3. श्री बी.आई. गोहिल, सेवानिवृत्ति उप कलेक्टर/
विशेष अधिकारी, विभागीय पूछताछ, गांधी नगर,
मार्फत मैसर्स रिलाएंस गैस पाइपलाइन्स लमिटेड,
101, शिवम अपार्टमेंट, 9 पटेल कलोनी, बेदी बंदर
रोड, जामनगर-8

गुजरात राज्य के सारे जिले

4. श्री ए. बी. महता, सेवानिवृत्ति उप कलेक्टर/
उप कलेक्टर, (कटोती), अमरेली,
मार्फत मैसर्स रिलाएंस गैस पाइपलाइन्स लमिटेड
101, शिवम अपार्टमेंट, 9 पटेल कलोनी, बेदी बंदर
रोड, जामनगर-8

गुजरात राज्य के सारे जिले

5. श्री जे. एन. अमीन, डिप्टी कलेक्टर,
सेवानिवृत्ति प्रांत अधिकारी, नावासारी
मार्फत मैसर्स रिलाएंस गैस पाइपलाइन्स लमिटेड
101, शिवम अपार्टमेंट, 9 पटेल कलोनी,
बेदी बंदर रोड, जामनगर-8

गुजरात राज्य के सारे जिले

[फा. सं. एल-14014/33/2005-जी.पी.]

एस. बी. मंडल, अवर सचिव

New Delhi, the 7th March, 2006

S. O. 960.— In pursuance of clause (a) of section 2 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) and in supersession of Notification number S.O. 1338, dated the 30th April, 2003, published in the Gazette of India Part II, Section 3, Sub-section (ii) on the 3rd May, 2003, the Central Government hereby authorize the persons mentioned in column (I) of the Table given below to perform the functions of the competent authorities under the said Act for laying of the pipeline by erstwhile M/S Gas Transportation and Infrastructure Company Limited presently known as M/s Reliance Gas Pipelines Limited (RGPL) having its Registered Office at 101, Shivam Appartments, 9 Patel Colony, Bedi Bunder Road, Jamnagar -8 for transportation of natural gas in the State of Gujarat from the LNG terminals at Jamnagar and Hazira in Gujarat for distribution to various consumers located in the State of Gujarat and in the adjoining States of Rajasthan and Madhya Pradesh in respect of the areas specified in column (2) of the Schedule namely:-

Table:

Name and Address of the persons	Areas of jurisdiction
(1)	(2)
1. Shri K.B.Pathak, Retired Gujarat State Administrative Service Officer C/o M/s Reliance Gas Pipelines Limited 101, Shivam Appartments, 9 Patel Colony, Bedi Bunder Road, Jamnagar -8	All the Districts of Gujarat
2. Shri A.K.Sanghvi, Retired Gujarat State Administrative Service Officer C/o M/s Reliance Gas Pipelines Limited 101, Shivam Appartments, 9 Patel Colony, Bedi Bunder Road, Jamnagar -8	All the Districts of Gujarat
3. Shri V.I.Gohil, Retd. Deputy Collector/ as Special Officer for Departmental Enquiry, Gandhinagar M/s Reliance Gas Pipelines Limited, 101, Shivam Appartments, 9 Patel Colony, Bedi Bunder Road, Jamnagar -8	All the Districts of Gujarat
4. Shri A.B. Mehta, Retd. Deputy Collector/ as Deputy Collector (Recovery) Amreli C/o M/s Reliance Gas Pipelines Limited, 101, Shivam Appartments, 9 Patel Colony, Bedi Bunder Road, Jamnagar-8	All the Districts of Gujarat
5. Shri J. N. Amin, ^{Retd.} Deputy Collector/ as Prant Officer Navsari, M/s Reliance Gas Pipelines Limited, 101, Shivam Appartments, 9 Patel Colony, Bedi Bunder Road, Jamnagar -8	All the Districts of Gujarat

[F. No. L-14014/33/2005-G.P.]
S. B. MANDAL, Under Secy.

नई दिल्ली, 7 मार्च, 2006

का. आ. 961.— केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि महाराष्ट्र राज्य में लोनी (पुणे) से पकनी (सोलापुर) तक हजारवाडी के रास्ते पेट्रोलियम उत्पादों के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में जो इस से उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री संजीव जाधव, सक्षम प्राधिकारी, मुम्बई-पुणे पाइपलाइन विस्तार परियोजना (लोनी से पकनी तक हजारवाडी के रास्ते), हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, मेगा सेंटर, मगरपट्टा - एम व एन विंग, हादापसर - 411 028 (पुणे जिला) , महाराष्ट्र को लिखित रूप में आक्षेप भेज सकेगा ।

अनुसूची							
तालुका : तासगांव			जिला : सांगली		राज्य : महाराष्ट्र		
क्रम सं.	गाव का नाम	सर्वे नंबर	गट नंबर	उप-खण्ड संख्या	क्षेत्रफल		
1	2	3	4	5	हेक्टर	एयर	वर्ग मीटर
1	येलावी		1598		00	02	76
			1599		00	00	30
			1604		00	14	50
			1600		00	11	00
			1606		00	10	75
			1607		00	14	25
			1605		00	04	85
			1603		00	05	15
			1646		00	09	94
			1645		00	16	22

तालुका : तासगांव			जिला : सांगली	राज्य : महाराष्ट्र			
क्रम सं.	गाव का नाम	सर्वे नंबर	गट नंबर	उप-खण्ड संख्या	क्षेत्रफल		
					हेक्टर	एयर	वर्ग मीटर
1	2	3	4	5	6	7	8
1	येलावी (निरंतर)		1644		00	15	30
			1643		00	19	64
			1675		00	06	14
			1688		00	36	98
			1640		00	00	30
			1692		00	13	95
			1693		00	20	49
			1710		00	00	70
			1709		00	32	27
			1708		00	11	73
			1707		00	00	60
			1733		00	40	40
			गट नंबर 1733 और 1734 के बीच में अस्फाल्टड रस्ता		00	01	81
			1734		00	26	83
			1953		00	06	91
			1952		00	13	14
			1949		00	14	84
			1950		00	04	99
			1969		00	04	61
			1968		00	13	97
			1967		00	08	85
			1973		00	66	15
			1974		00	00	30
			1975		00	08	58
			1978		00	14	68
			1977		00	03	64
			1980		00	07	09
			1981		00	06	81
			2055		00	00	30
			2056		00	05	74
			2057		00	14	98
			गट नंबर 2057 और 2060 के बीच में अस्फाल्टड रस्ता		00	03	07
			2059		00	00	30
			2060		00	04	67
			2061		00	09	50
			गट नंबर 2061 और 2063 के बीच में गाडी रस्ता		00	02	38
			2063		00	12	26

तालुका : तासगांव			जिला : सांगली		राज्य : महाराष्ट्र		
क्रम सं.	गाव का नाम	सर्वे नंबर	गट नंबर	उप-खण्ड संख्या	क्षेत्रफल		
					हेक्टर	एयर	वर्ग मीटर
1	2	3	4	5	6	7	8
1	येलावी (निरंतर)		2064		00	00	97
			2065		00	06	31
			2066		00	05	85
			2047		00	11	63
			2046		00	10	33
			2048		00	10	50
			2044		00	05	36
			2042		00	05	88
			2041		00	02	64
			2235		00	03	23
			2236		00	06	24
			2260		00	22	45
			2259		00	00	30
			2256		00	12	69
			2258		00	14	12
			गट नंबर 2258 और 29 के बीच में भेटल्ड रस्ता		00	02	51
			29		00	13	69
			27		00	18	59
			28		00	02	77
			30		00	06	59
			20		00	08	69
			19		00	00	50
			18		00	32	33
			35		00	12	79
			36		00	07	25
			14		00	00	30
			37		00	21	85
			38		00	12	28
			39		00	00	43
			40		00	05	20
			41		00	02	75
			42		00	03	00
			43		00	04	00
			44		00	02	90
			45		00	06	35
			46		00	07	35
			57		00	39	60
			55		00	34	07
			291		00	81	43
			290		00	05	02
			गट नंबर 290 और 285 के बीच में रस्ता		00	02	57

तालुका : तासगांव			जिला : सांगली	राज्य : महाराष्ट्र			
क्रम सं.	गाव का नाम	सर्वे नंबर	गट नंबर	उप-खण्ड संख्या	क्षेत्रफल		
1	2	3	4	5	हेक्टर	एयर	वर्ग मीटर
1	वेल्हवी (निरंतर)		285		00	41	17
			284		00	09	05
			283		00	05	50
			282		00	04	63
			281		00	05	23
			280		00	03	50
			279		00	10	16
			278		00	02	93
			277		00	03	73
			276		00	02	83
			275		00	04	45
			274		00	06	32
			273		00	02	73
			272		00	02	89
			271		00	02	72
			270		00	02	73
			266		00	05	59
			265		00	06	00
			264		00	10	71
			263		00	04	75
			262		00	07	57
			261		00	08	86
			260		00	08	94
			259		00	06	39
			258		00	13	68
			256	4	00	09	64
			257		00	10	25
				कुल	12	00	88

[फा. सं. आर-31015/26/2004-ओ.आर-II]

हरीश कुमार, अवर सचिव

New Delhi, the 7th March, 2006

S. O. 961.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Loni (Pune) to Pakni (Solapur) via Hazarwadi in the State of Maharashtra, an extension pipeline should be laid by Hindustan Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Sanjeev Jadhav, Competent Authority, Mumbai-Pune Pipeline Extension Project (from Loni to Pakni via Hazarwadi), Hindustan Petroleum Corporation Limited, Mega Center, Magarpatta – M & N Wing, Hadapsar – 411 028 (Pune District), Maharashtra.

SCHEDULE

Taluka : TASGAON		District : SANGLI		State : MAHARASHTRA			
Sr. No.	Name of the Village	Survey No.	Gat No.	Sub-Division No.	Area		
					Hectare	Are	Sq.mt
1	2	3	4	5	6	7	8
1	YELAVI		1598		00	02	76
			1599		00	00	30
			1604		00	14	50
			1600		00	11	00
			1606		00	10	75
			1607		00	14	25
			1605		00	04	85
			1603		00	05	15
			1646		00	09	94
			1645		00	16	22
			1644		00	15	30
			1643		00	19	64
			1675		00	06	14
			1688		00	36	98
			1640		00	00	30
			1692		00	13	95
			1693		00	20	49
			1710		00	00	70
			1709		00	32	27
			1708		00	11	73
			1707		00	00	60
			1733		00	40	40
			Asphalted Road in between Gat No 1733 & 1734		00	01	81
					00	26	83
			1734		00	06	91
			1953		00	13	14
			1952		00	14	84
			1949		00		

Taluka : TASGAON			District : SANGLI		State : MAHARASHTRA		
Sr. No.	Name of the Village	Survey No.	Gat No.	Sub-Division No.	Area		
					Hectare	Acre	Sq.mt
1	2	3	4	5	6	7	8
1	YELAVI (Contd.)		1950		00	04	99
			1969		00	04	61
			1968		00	13	97
			1967		00	08	85
			1973		00	66	15
			1974		00	00	30
			1975		00	08	58
			1978		00	14	68
			1977		00	03	64
			1980		00	07	09
			1981		00	06	81
			2055		00	00	30
			2056		00	05	74
			2057		00	14	98
			Asphalted Road in between Gat No 2057 & 2060		00	03	07
			2059		00	00	30
			2060		00	04	67
			2061		00	09	50
			Cart Track in between Gat No 2061 & 2063		00	02	38
			2063		00	12	26
			2064		00	00	97
			2065		00	06	31
			2066		00	05	85
			2047		00	11	63
			2046		00	10	33
			2048		00	10	50
			2044		00	05	36
			2042		00	05	88
			2041		00	02	64
			2235		00	03	23
			2236		00	06	24
			2260		00	22	45
			2259		00	00	30
			2256		00	12	69
			2258		00	14	12
			Metalled Road in between Gat No 2258 & 29		00	02	51
			29		00	13	69
			27		00	18	59

Taluka : TASGAON			District : SANGLI		State : MAHARASHTRA		
Sr. No.	Name of the Village	Survey No.	Gat No.	Sub-Division No.	Area		
					Hectare	Are	Sq.mt
1	2	3	4	5	6	7	8
1	YELAVI (Contd.)		28		00	02	77
			30		00	06	59
			20		00	08	69
			19		00	00	50
			18		00	32	33
			35		00	12	79
			36		00	07	25
			14		00	00	30
			37		00	21	85
			38		00	12	28
			39		00	00	43
			40		00	05	20
			41		00	02	75
			42		00	03	00
			43		00	04	00
			44		00	02	90
			45		00	06	35
			46		00	07	35
			57		00	39	60
			55		00	34	07
			291		00	81	43
			290		00	05	02
			Road in between Gat No 290 & 285		00	02	57
			285		00	41	17
			284		00	09	05
			283		00	05	50
			282		00	04	63
			281		00	05	23
			280		00	03	50
			279		00	10	16
			278		00	02	93
			277		00	03	73
			276		00	02	83
			275		00	04	45
			274		00	06	32
			273		00	02	73
			272		00	02	89
			271		00	02	72
			270		00	02	73
			266		00	05	59

Taluka : TASGAON			District : SANGLI		State : MAHARASHTRA		
Sr. No.	Name of the Village	Survey No.	Gat No.	Sub-Division No.	Area		
					Hectare	Are	Sq.mt
1	2	3	4	5	6	7	8
1 YELAVI (Contd.)			265		00	06	00
			264		00	10	71
			263		00	04	75
			262		00	07	57
			261		00	08	86
			260		00	08	94
			259		00	06	39
			258		00	13	68
			256	4	00	09	64
			257		00	10	25
Total					12	00	88

[No. R-31015/26/2004-O.R.-II]

HARISH KUMAR, Under Secy.

नई दिल्ली, 8 मार्च, 2006

का.आ. 962.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मुन्द्रा (गुजरात) से दिल्ली तक पेट्रोलियम उत्पादों के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इस से उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री एफ. ए. बाबी. सक्षम प्राधिकारी, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड एच.पी. सी.एल. कंडला टर्मिनल -2, बंग्लोड़ा -1, सारी रोड, गांधीग्राम, कच्छ, (गुजरात) -370 240, गुजरात, को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तालुका : कांकरेज		जिला : बनावसकांठ		राज्य : गुजरात		
क्रम सं.	गाँव का नाम	खसरा सं.	उप खण्ड सं.	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
1	कम्बोड़	1767	पी1	0	22	81

[फा. सं. आर-31015/38/2004-ओ.आर.-II]

हरीश कुमार, अवर सचिव

New Delhi, the 8th March, 2006

S. O. 962.— **Whereas** it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Mundra (Gujarat) to Delhi, a pipeline should be laid by Hindustan Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule, may, within twenty one days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to F. A. Babi, Competent Authority, Mundra-Delhi petroleum product pipeline, Hindustan Petroleum Corporation Limited, HPCL Kandla terminal-2, Bungalow No.-1, Khari Rohar, Gandhidham, Kutch (Gujarat) – 370 240.

SCHEDULE

Taluk : KANKREJ		District : BANASKANTHA		State : GUJARAT		
Sr. No	Name of Village	Survey no.	Sub-Division No.	Area		
				Hectare	Are	Square Metre
1	2	3	4	5	6	7
1	Kambol	1767	P1	0	22	81

[No. R-31015/38/2004-O.R.-II]
HARISH KUMAR, Under Secy.

नई दिल्ली, 10 मार्च, 2006

का. आ. 963.—केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत के राजपत्र, तारीख 6-8-2005 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का आ. संख्या 2754 तारीख 02-08-2005 द्वारा उस अधिसूचना से उपाबद्ध अनुसूचि तहसील-वडोदरा, जिल्ला वडोदरा, राज्य गुजरात में विनिर्दिष्ट भूमि में कोयली से रतलाम तक पेट्रोलियम उत्पादनों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड, वडोदरा द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी।

और उक्त राजपत्र अधिसूचना की प्रतियां ता. 07-09-2005 से जनता को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाए;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि पाइपलाइन बिछाने के लिए इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय इंडियन ऑयल कॉर्पोरेशन लिमिटेड वडोदरा में सभी विल्लगमों से मुक्त होकर प्रकाशन की इस तारीख से निहित होगा।

अनुसूची					
तालुका : वडोदरा	जिला : वडोदरा		राज्य : गुजरात		
गाँव का नाम	सर्वेक्षण सं.-खण्ड सं.	उप-खण्ड सं.	क्षेत्रफल		
			हेक्टर	एयर	वर्ग मिटर
1	2	3	4	5	6
आसोज	213	-	0	07	41
	206	-	0	09	37
	207	-	0	04	84
	202	-	0	14	48
	201	-	0	18	89
	198	-	0	14	50
	199	-	0	00	0.5
	197	-	0	05	19
	183	P	0	36	83
	182	-	0	08	67
	181	-	0	11	48
	177	P	0	29	59
	137	-	0	13	63
	138	-	0	37	03
	139	-	0	56	02
	115	P	0	04	32
	116	-	0	00	36
	117	-	0	44	20
	93	-	0	09	60
	94	P	0	00	18
	92	-	0	41	78
	91	-	0	06	98

[फा. सं. आर-25011/5/2006-ओ.आर.-1]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 10th March, 2006

S.O. 963.—Whereas by the notification of the Government of India, Ministry of Petroleum and Natural Gas, S.O. 2754 dated 02-08-2005 under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the land specified in the schedule *in* Tehsil-Vadodara, Dist. Vadodara, State Gujarat, for the purpose of laying pipeline for the transportation of Petroleum Product from Koyali to Ratlam in the State of Gujarat by the Indian Oil Corporation Limited.

And whereas, the copies of the said gazette notification were made available to the general public on 07-09-2005.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that right of user in the land specified in the schedule appended to this notification should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule annexed to this notification is hereby acquired for laying the pipeline.

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby direct that the right of user in the said land shall instead of vesting the Central Government, vests from the date of the publication of this declaration in the Indian oil corporation limited free from all encumbrances.

SCHEDULE

Tehsil :- Vadodara	District :- Vadodara		State :- Gujarat		
Name of Village	Survey/Block No	Sub-Division No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
Asoj	213	-	0	07	41
	206	-	0	09	37
	207	-	0	04	84
	202	-	0	14	48
	201	-	0	18	89
	198	-	0	14	50
	199	-	0	00	0.5
	197	-	0	05	19
	183	P	0	36	83
	182	-	0	08	67
	181	-	0	11	48
	177	P	0	29	59
	137	-	0	13	63
	138	-	0	37	03
	139	-	0	56	02
	115	P	0	04	32
	116	-	0	00	36
	117	-	0	44	20
	93	-	0	09	60
	94	P	0	00	18
	92	-	0	41	78
	91	-	0	06	98

[F. No. R-25011/5/2006-Q.R.-I]

S. K. CHITKARA, Under Secy.

नई दिल्ली, 10 मार्च, 2006

का. आ. 964.—केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत के राजपत्र, तारीख 6-8-2005 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का आ. संख्या 2755 तारीख 02-08-2005 द्वारा उस अधिसूचना से उपाबद्ध अनुसूचि तहसील-सावली, जिल्ला वडोदरा, राज्य गुजरात में विनिर्दिष्ट भूमि में कोयली से रतलाम तक पेट्रोलियम उत्पादनों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड, वडोदरा द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी.

और उक्त राजपत्र अधिसूचना की प्रतियां ता. 07-09-2005 से जनता को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाए;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि पाइपलाइन बिछाने के लिए इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय इंडियन ऑयल कॉर्पोरेशन लिमिटेड वडोदरा में सभी विल्लगमों से मुक्त होकर प्रकाशन की इस तारीख से निहित होना।

अनुसूची

तालुका :- सावली	जिला :- वडोदरा		राज्य : गुजरात		
गाँव का नाम	सर्वेक्षण सं-खण्ड सं.	उप-खण्ड सं.	क्षेत्रफल		
			हेक्टर	एयर	वर्ग मिटर
1	2	3	4	5	6
पीलोल	115	-	0	10	80
	114	-	0	07	52
	120	-	0	12	56
	118	-	0	01	67
	119	-	0	22	43
	132	-	0	07	26
	130	2	0	07	03
	130	1	0	20	15
	142	2P	0	00	89

1	2	3	4	5	6
चलान (जारी)	142	1	0	01	56
	139	3P	0	07	24
	139	4/A/P	0	11	93
	140	1	0	09	94
	141	-	0	12	82
	149	-	0	06	12
	183	2	0	01	53
	183	1	0	08	66
	158	1	0	21	35
	158	2	0	00	04
	7	-	0	04	30
	9	-	0	05	48
	162	P1	0	12	95
	162	P2	0	01	12
	163	2	0	09	38
	228	1	0	15	20
	228	2P	0	10	83
	236	-	0	11	84
	242	-	0	06	79
	259	-	0	00	90
	243	-	0	14	72
	252	2	0	08	73
	253	-	0	00	55
	257	1	0	10	69
	257	2	0	04	48
	255	-	0	06	17
	1140	-	0	12	28
	812	-	0	08	46
	1139	-	0	14	17
	1134	-	0	21	23
	811	-	0	03	05
	813	2	0	25	09
	818	-	0	00	89
	822	-	0	15	59
	838	-	0	04	82
	837	-	0	11	15
	836	-	0	06	07
	835	-	0	09	82
	840	-	0	07	76
	839	-	0	03	73
	842	-	0	00	85
	844	-	0	11	72
	845	-	0	14	74
	857	2P1	0	39	69
	856	-	0	03	87
	711	-	0	00	39
	712	-	0	14	10
	709	-	0	06	86

1	2	3	4	5	6
पीलोल (जारी)	706	P1	0	01	54
	708	-	0	17	13
	695	-	0	01	46
	696	P1	0	13	18
	701	1	0	05	94
	701	2	0	00	65
	698	-	0	01	91
	699	P1	0	17	47
	689	-	0	16	42
	647	-	0	04	24
	1146	-	0	10	82
	685	P1	0	01	45
	648	-	0	03	74
	656	4	0	07	15
	656	1	0	11	01
	656	2	0	23	87
	659	-	0	12	07
	662	-	0	03	38
	658	-	0	01	62
	634	-	0	06	56
	633	1	0	08	35
	633	2	0	08	35
	632	-	0	10	72
	631	-	0	14	13
	619	P2	0	00	81
	629	-	0	20	65
	628	-	0	01	50
	402	-	0	08	33
	403	-	0	03	22
	226	-	0	07	26
	225	-	0	01	61
	172	-	0	00	68
	173	-	0	14	10
	170	-	0	06	37
	179	-	0	12	36
	182	1	0	12	29
	165	-	0	10	74
	163	1	0	04	86
	163	2	0	05	59
	159	-	0	13	22
	160	-	0	05	44
	153	-	0	11	14
	161	-	0	00	48
	152	-	0	10	71
	151	-	0	08	65
	150	-	0	04	28
	120	-	0	01	22
	121	-	0	13	99
	59	-	0	04	88

इन्द्राल

1	2	3	4	5	6
इन्दात (जारी)	58	-	0	11	41
	60	-	0	12	90
	61	-	0	06	87
	65	-	0	04	19
	62	-	0	00	54
	62	1P	0	17	70
	53	-	0	00	28
	50	3	0	08	08
	50	1	0	08	50
	50	2/B	0	09	12
	85	-	0	19	99
	49	-	0	13	52
	482	-	0	14	97
	481	-	0	03	19
	493	-	0	05	70
	492	-	0	08	14
	490	1	0	02	38
	490	-	0	05	99
	524	1	0	06	34
	524	P1	0	10	36
	535	P1	0	03	71
	535	P2	0	04	87
	538	P2	0	00	60
	538	P1	0	03	82
	537	1	0	08	09
	552	-	0	00	34
	557	-	0	12	99
	556	-	0	12	08
	551	1	0	10	26
	669	-	0	00	26
	563	-	0	04	75
	668	-	0	09	78
	666	-	0	03	36
	667	-	0	08	26
	664	-	0	07	83
	663	-	0	00	70
	653	-	0	14	54
	654	-	0	06	43
	650	-	0	08	48
	651	-	0	08	42
	711	-	0	15	73
	744	-	0	15	41
	743	-	0	14	28
	753	-	0	13	40
	757	-	0	13	69
	1257	-	0	00	42
	756	-	0	11	51
	758	-	0	02	60
	1276	2/P/1	0	60	51
	1276	3/1	0	31	57
	1276	3/2	0	31	57
	1276	4	0	02	84

1	2	3	4	5	6
भीमर	210	-	0	13	38
	53	-	0	34	88
	46	-	0	11	28
	47	-	0	02	31
	45	-	0	06	77
	44	-	0	00	07
	43	1	0	08	03
	43	2	0	03	52
	43	3	0	05	07
	43	4	0	00	37
	42	2	0	01	89
	612	-	0	08	05
	613	-	0	10	80
	611	1/A+C	0	13	53
	582	1	0	05	12
	582	2	0	05	15
	580	1	0	00	11
	581	1	0	07	98
	590	-	0	01	81
	583	1	0	13	25
	583	2	0	06	22
	588	-	0	03	82
	589	1	0	01	37
	589	2	0	05	75
	561	2	0	01	26
	562	-	0	17	80
	563	-	0	17	76
	565	-	0	11	77
	559	1P	0	08	44
	559	2	0	08	60
	559	-	0	08	18
	536	1P2	0	07	70
	536	2P2	0	10	79
	549	-	0	08	96
	539	1	0	00	92
	546	1	0	14	97
	546	2	0	00	41
	545	1	0	08	03
	545	2	0	03	39
गराधीया	488/387	-	0	15	94
	493/391	-	0	18	16
	494/390	-	0	00	47
	496/398	-	0	03	49
	495/400	-	0	10	61
	482/401	-	0	06	12
	479/399	-	0	01	87
	480/402	-	0	05	62
	478/408	-	0	03	66
	477/407	-	0	03	35
	474/409	-	0	16	42

1	2	3	4	5	6
गराफीया (जारी)	510/432	-	0	08	53
	511/433	-	0	17	01
	513/445	-	0	04	20
	517/448	-	0	15	01
	518/449	-	0	09	09
	519/449	-	0	07	20
	518/447	-	0	02	94
	543/465	-	0	16	13
	552/472	-	0	07	87
	551/471	-	0	07	11
	549/471	-	0	14	34
	548/471	-	0	07	07
	547/470	-	0	00	03
	560/369	-	0	00	44
	561/383	-	0	09	00
	562/383	-	0	12	74
	563/382	-	0	03	65
बडादला	20	2	0	03	19
	20	1	0	12	18
	22	-	0	06	46
	19	2	0	00	49
	23	2	0	00	02
	19	1	0	08	60
	24	-	0	11	64
	18	1	0	00	10
	11	-	0	00	08
	17	-	0	16	15
	13	2	0	00	03
	14	1	0	09	69
	14	2/B	0	00	58
	16	2	0	21	88
	15	-	0	00	03
	218	2	0	00	26
	114	1	0	36	71
	207	-	0	13	15
	206	-	0	00	84
	188	-	0	16	46
	187	1A	0	05	84
	187	1B	0	12	37
	187	1C	0	17	05
	129	1A/P	0	02	94
	147	1	0	03	87
	147	2	0	05	94
	150	-	0	00	14
	144	-	0	00	04
	143	P2	0	18	57
	114	3P2	0	34	56
	114	3P1	0	38	79

1	2	3	4	5	6
हरीपुरा	165	2	0	08	40
	165	3	0	10	78
हरीपुरा (जारों)	166	1	0	14	33
	166	2	0	04	81
	167	-	0	18	89
	168	-	0	18	78
	169	1	0	19	57
	170	1P1	0	18	09
	172	-	0	17	99
	173	1	0	28	33
	173	2P1	0	20	40
गगाडीया	82	-	1	58	02
अदलावाडा	181	3P3	0	08	09
	181	4/A	0	28	32
	181	4/B	0	12	15
	181	8	0	31	90
	181	9	0	07	41
	181	24	0	27	20
	181	23P2	0	19	38
	181	23P3	0	17	78
	182	11P3	0	06	69
	182	11P2	0	02	31
	202	-	0	25	40
	182	2/C	0	12	37
	182	2/B	0	20	73
	182	2/A/P2	0	09	43
	182	2/A/P1	0	06	09
	182	1	0	03	49
	182	7	0	49	10
	182	5/A	0	04	37
	182	5/B	0	29	67
	182	3/2	0	15	51
लोटना	115	1P	0	32	37
	115	2	0	07	33
	116	-	0	26	41
	124	-	0	26	58
	125	-	0	10	12
	127	-	0	13	13
	126	-	0	00	05
	128	-	0	08	21
	137	1	0	16	33
	137	2	0	83	67
	13	-	0	17	14
	12	1	0	09	56
	12	4	0	03	40
	12	5	0	00	39
	12	6	0	14	82
	12	8	0	03	75

1	2	3	4	5	6
लोटना (जारी)	12	7	0	00	12
	11	1	0	06	68
	10	-	0	00	88
	23	1	0	04	09
	25	2P1	0	08	10
	25	1	0	16	96
	25	2P2	0	07	95
	27	-	0	16	46
	38	1	0	00	04
	38	2	0	20	14
	42	-	0	06	83
	41	1	0	13	45
	39	2	0	08	56
सादर	149	-	0	08	64
	150	-	0	09	50
	151	2	0	07	58
	153	-	0	08	01
	155	-	0	07	68
	154	1	0	10	80
	154	2	0	08	28
	154	3	0	17	76
	183	-	0	14	29
	182	-	0	16	56
	181	-	0	17	26
	179	1P	0	13	43
	179	2	0	12	09
	13	6/1P	0	18	42
	13	6/2	0	18	94
	13	5/2P	0	24	15
	13	4	0	23	47
	13	2/2	0	23	16
	180	1	0	10	25
	180	2	0	09	31
मुढेला	264	P1	0	23	42
	266	-	0	32	17
	265	-	0	08	99
	267	-	0	38	21
	271	-	0	04	13
	365	-	0	37	27
	364	-	0	38	96
	348	-	0	06	83
	349	-	0	33	75
	350	-	0	38	96
	345	-	0	05	34

1	2	3	4	5	6
मुढेला (जारी)	344	-	0	36	02
	335	-	0	03	30
	336	-	0	37	63
	330	-	0	40	01
	332	-	0	07	12
	326	-	0	13	98
	327	-	0	40	77
सींगानीया	23	7P	0	36	77
	23	6	0	00	85
	35	-	0	19	27
	35	1	0	19	16
	35	2	0	00	82
	34	-	0	10	62
	31	1	0	06	44
	32	-	0	28	97
	36	-	0	00	86
खाखरीया	114	10P2	0	11	13
	114	10P6	0	16	60
	114	10P5	0	04	84
	114	6	0	30	86
	114	5P1	0	23	67
	114	4	0	08	45
	114	3P1	0	24	99
	114	3P2	0	24	98
	114	1	0	33	55

[फा. सं. आर-25011/5/2006-ओ.आर.-I]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 10th March, 2006

S. O. 964.— Whereas by the notification of the Government of India. Ministry of Petroleum and Natural Gas. S.O. 2755 dated 02-08-2005 under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the land specified in the schedule in Tehsil -Savli, Dist. Vadodara, State Gujarat, for the purpose of laying pipeline for the transportation of Petroleum Product from Koyali to Ratlam in the State of Gujarat by the Indian Oil Corporation Limited.

And whereas, the copies of the said gazette notification were made available to the general public on 07-09-2005.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that right of user in the land specified in the schedule appended to this notification should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act. the Central Government hereby declares that the right of user in the land specified in the Schedule annexed to this notification is hereby acquired for laying the pipeline.

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act. the Central Government hereby direct that the right of user in the said land shall instead of vesting the Central Government, vests from the date of the publication of this declaration in the Indian oil corporation limited free from all encumbrances.

SCHEDULE

Tehsil :- Savli	Dist :- Vadodara		State :- Gujarat		
Name of Village	Survey/Block NO.	Sub-Div. NO.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
Pilot	115	-	0	10	80
	114	-	0	07	52
	120	-	0	12	56
	118	-	0	01	67
	119	-	0	22	43
	132	-	0	07	26
	130	2	0	07	03
	130	1	0	20	15
	142	2P	0	00	89
	142	1	0	01	56
	139	3P	0	07	24
	139	4/A/P	0	11	93
	140	1	0	09	94
	141	-	0	12	82
	149	-	0	06	12
	183	2	0	01	53
	183	1	0	08	66
	158	1	0	21	35
	158	2	0	00	04
	7	-	0	04	30
	9	-	0	05	48
	162	P1	0	12	95
	162	P2	0	01	12
	163	2	0	09	38
	228	1	0	15	20
	228	2P	0	10	83
	236	-	0	11	84
	242	-	0	06	79
	259	-	0	00	90
	243	-	0	14	72
	252	2	0	08	73
	253	-	0	00	55
	257	1	0	10	69
	257	2	0	04	48

1	2	3	4	5	6
Pilot (Contd.)	255	-	0	06	17
	1140	-	0	12	28
	812	-	0	08	46
	1139	-	0	14	17
	1134	-	0	21	23
	811	-	0	03	05
	813	2	0	25	09
	818	-	0	00	89
	822	-	0	15	59
	838	-	0	04	82
	837	-	0	11	15
	836	-	0	06	07
	835	-	0	09	82
	840	-	0	07	76
	839	-	0	03	73
	842	-	0	00	85
	844	-	0	11	72
	845	-	0	14	74
	857	2P1	0	39	69
	856	-	0	03	87
	711	-	0	00	39
	712	-	0	14	10
	709	-	0	06	86
	706	P1	0	01	54
	708	-	0	17	13
	695	-	0	01	46
	696	P1	0	13	18
	701	1	0	05	94
	701	2	0	00	65
	698	-	0	01	91
	699	P1	0	17	47
	689	-	0	16	42
	647	-	0	04	24
	1146	-	0	10	82
	685	P1	0	01	45
	648	-	0	03	74
	656	4	0	07	15
	656	1	0	11	01
	656	2	0	23	87
	659	-	0	12	07
	662	-	0	03	38
	658	-	0	01	62
	634	-	0	06	56
	633	1	0	08	35
	633	2	0	08	35
	632	-	0	10	72
	631	-	0	14	13

1	2	3	4	5	6
Pilol (Contd.)	619	P2	0	00	81
	629	-	0	20	65
	628	-	0	01	50
Indral	402	-	0	08	33
	403	-	0	03	22
	226	-	0	07	26
	225	-	0	01	61
	172	-	0	00	68
	173	-	0	14	10
	170	-	0	06	37
	179	-	0	12	36
	182	1	0	12	29
	165	-	0	10	74
	163	1	0	04	86
	163	2	0	05	59
	159	-	0	13	22
	160	-	0	05	44
	153	-	0	11	14
	161	-	0	00	48
	152	-	0	10	71
	151	-	0	08	65
	150	-	0	04	28
	120	-	0	01	22
	121	-	0	13	99
	59	-	0	04	88
	58	-	0	11	41
	60	-	0	12	90
	61	-	0	06	87
	65	-	0	04	19
	62	-	0	00	54
	62	1P	0	17	70
	53	-	0	00	28
	50	3	0	08	8
	50	1	0	08	50
	50	2/B	0	09	12
	85	-	0	19	99
	49	-	0	13	52
	482	-	0	14	97
	481	-	0	03	19
	493	-	0	05	70
	492	-	0	08	14
	490	1	0	02	38
	490	-	0	05	99
	524	1	0	06	34
	524	P1	0	10	36
	535	P1	0	03	71

1	2	3	4	5	6
Indral(contd.)	535	P2	0	04	87
	538	P2	0	00	60
	538	P1	0	03	82
	537	1	0	08	09
	552	-	0	00	34
	557	-	0	12	99
	556	-	0	12	08
	551	1	0	10	26
	669	-	0	00	26
	563	-	0	04	75
	668	-	0	09	78
	666	-	0	03	36
	667	-	0	08	26
	664	-	0	07	83
	663	-	0	00	70
	653	-	0	14	54
	654	-	0	06	43
	650	-	0	08	48
	651	-	0	08	42
	711	-	0	15	73
	744	-	0	15	41
	743	-	0	14	28
	753	-	0	13	40
	757	-	0	13	69
	1257	-	0	00	42
	756	-	0	11	51
	758	-	0	02	60
	1276	2/P/1	0	60	51
	1276	3/1	0	31	57
	1276	3/2	0	31	57
	1276	4	0	02	84
Vemar	210	-	0	13	38
	53	-	0	34	88
	46	-	0	11	28
	47	-	0	02	31
	45	-	0	06	77
	44	-	0	00	07
	43	1	0	08	03
	43	2	0	03	52
	43	3	0	05	07
	43	4	0	00	37
	42	2	0	01	89
	612	-	0	08	05
	613	-	0	10	80

1	2	3	4	5	6
Vemar(contd.)	611	1/A+C	0	13	53
	582	1	0	05	12
	582	2	0	05	15
	580	1	0	00	11
	581	1	0	07	98
	590	-	0	01	81
	583	1	0	13	25
	583	2	0	06	22
	588	-	0	03	82
	589	1	0	01	37
	589	2	0	05	75
	561	2	0	01	26
	562	-	0	17	80
	563	-	0	17	76
	565	-	0	11	77
	559	1P	0	08	44
	559	2	0	08	60
	559	-	0	08	18
	536	1P2	0	07	70
	536	2P2	0	10	79
	549	-	0	08	96
	539	1	0	00	92
	546	1	0	14	97
	546	2	0	00	41
	545	1	0	08	03
	545	2	0	03	39
Garadhiya	488/387	-	0	15	94
	493/391	-	0	18	16
	494/390	-	0	00	47
	496/398	-	0	03	49
	495/400	-	0	10	61
	482/401	-	0	06	12
	479/399	-	0	01	87
	480402	-	0	05	62
	478/408	-	0	03	66
	477/407	-	0	03	35
	474/409	-	0	16	42
	510/432	-	0	08	53
	511/433	-	0	17	01
	513/445	-	0	04	20
	517/448	-	0	15	01
	518/449	-	0	09	09
	519/449	-	0	07	20
	516/447	-	0	02	94
	543/465	-	0	16	13

1	2	3	4	5	6
Garadhiya (Contd.)	552/472	-	0	07	87
	551/471	-	0	07	11
	549/471	-	0	14	34
	548/471	-	0	07	07
	547/470	-	0	00	03
	560/369	-	0	00	44
	561/383	-	0	09	00
	562/383	-	0	12	74
	563/382	-	0	03	65
Vadadala	20	2	0	03	19
	20	1	0	12	18
	22	-	0	06	46
	19	2	0	00	49
	23	2	0	00	02
	19	1	0	08	60
	24	-	0	11	64
	18	1	0	00	10
	11	-	0	00	08
	17	-	0	16	15
	13	2	0	00	03
	14	1	0	09	69
	14	2/B	0	00	58
	16	2	0	21	88
	15	-	0	00	03
	218	2	0	00	26
	114	1	0	36	71
	207	-	0	13	15
	206	-	0	00	84
	188	-	0	16	46
	187	1A	0	05	84
	187	1B	0	12	37
	187	1C	0	17	05
	129	1A/P1	0	02	94
	147	1	0	03	87
	147	2	0	05	94
	150	-	0	00	14
	144	-	0	00	04
	143	P2	0	18	57
	114	3P2	0	34	56
	114	3P1	0	38	79
Haripura	165	2	0	08	40
	165	3	0	10	78
	166	1	0	14	33
	166	2	0	04	81

1	2	3	4	5	6
Haripura (Contd.)	167	-	0	18	89
	168	-	0	18	78
	169	1	0	19	57
	170	1P1	0	18	09
	172	-	0	17	99
	173	1	0	28	33
	173	2P1	0	20	40
	82	-	1	58	02
	181	3P3	0	08	09
	181	4/A	0	28	32
Gangadiya Adalwada	181	4/B	0	12	15
	181	8	0	31	90
	181	9	0	07	41
	181	24	0	27	20
	181	23P2	0	19	38
	181	23P3	0	17	78
	182	11P3	0	06	69
	182	11P2	0	02	31
	202	-	0	25	40
	182	2/C	0	12	37
Lotana	182	2/B	0	20	73
	182	2/A/P2	0	09	43
	182	2/A/P1	0	06	09
	182	1	0	03	49
	182	7	0	49	10
	182	5/A	0	04	37
	182	5/B	0	29	67
	182	3/2	0	15	51
	115	1P	0	32	37
	115	2	0	07	33
Lotana	116	-	0	26	41
	124	-	0	26	58
	125	-	0	10	12
	127	-	0	13	13
	126	-	0	00	05
	128	-	0	08	21
	137	1	0	16	33
	137	2	0	83	67
	13	-	0	17	14
	12	1	0	09	56
Lotana	12	4	0	03	40
	12	5	0	00	39
	12	6	0	14	82
	12	8	0	03	75
	12	7	0	00	12
	12	7	0	00	12

1	2	3	4	5	6
Lotana (Contd.)	11	1	0	06	68
	10	-	0	00	88
	23	1	0	04	09
	25	2P1	0	08	10
	25	1	0	16	96
	25	2P2	0	07	95
	27	-	0	16	46
	38	1	0	00	04
	38	2	0	20	14
	42	-	0	06	83
	41	1	0	13	45
	39	2	0	08	56
Sadar	149	-	0	08	64
	150	-	0	09	50
	151	2	0	07	58
	153	-	0	08	01
	155	-	0	07	68
	154	1	0	10	80
	154	2	0	08	28
	154	3	0	17	76
	183	-	0	14	29
	182	-	0	16	56
	181	-	0	17	26
	179	1P	0	13	43
	179	2	0	12	09
	13	6/1P	0	18	42
	13	6/2	0	18	94
	13	5/2P	0	24	15
	13	4	0	23	47
	13	2/2	0	23	16
	180	1	0	10	25
Mudhela	180	2	0	09	31
	264	P1	0	23	42
	266	-	0	32	17
	265	-	0	08	99
	267	-	0	38	21
	271	-	0	04	13
	365	-	0	37	27
	364	-	0	38	96
	348	-	0	06	83
	348	-	0	33	75
	350	-	0	38	96
	345	-	0	05	34
	344	-	0	36	02

1	2	3	4	5	6
Mudhela (Contd.)	335	-	0	03	30
	336	-	0	37	63
	330	-	0	40	01
	332	-	0	07	12
	326	-	0	13	98
	327	-	0	40	77
Singaniya	23	7P	0	36	77
	23	6	0	00	85
	35	-	0	19	27
	35	1	0	19	16
	35	2	0	00	82
	34	-	0	10	62
	31	1	0	06	44
	32	-	0	28	97
	36	-	0	00	86
	114	10P2	0	11	13
Khakhariya	114	10P6	0	16	60
	114	10P5	0	04	84
	114	6	0	30	86
	114	5P1	0	23	67
	114	4	0	08	45
	114	3P1	0	24	99
	114	3P2	0	24	98
	114	1	0	33	55

[F. No. R-25011/5/2006-O.R.-I]
S. K. CHITKARA, Under Secy.

नई दिल्ली, 10 मार्च, 2006

का. आ. 965.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत के राजपत्र, तारीख 6-8-2005 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का आ. संख्या 2756 तारीख 02-08-2005 द्वारा उस अधिसूचना से उपाबद्ध अनुसूचि तहसील-दाहोद, जिल्ला दाहोद, राज्य गुजरात में विनिर्दिष्ट भूमि में कोयली से रतलाम तक पेट्रोलियम उत्पादनों के परिवहन के लिए इंडियन ऑयल कार्पोरेशन लिमिटेड, वडोदरा द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी।

और उक्त राजपत्र अधिसूचना की प्रतियां ता. 07-09-2005 से जनता को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाए;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि पाइपलाइन बिछाने के लिए इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय इंडियन ऑयल कॉर्पोरेशन लिमिटेड बड़ोदरा में सभी विल्लगमों से मुक्त होकर प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

तालुका : दाहोद	जिला : दाहोद		राज्य : गुजरात		
गाँव का नाम	सर्वेक्षण सं-खण्ड सं.	उप-खण्ड सं.	क्षेत्रफल		
			हेक्टर	एयर	वर्ग मिटर
1	2	3	4	5	6
रोझाम	59	-	0	28	21
	126	3	0	05	94
	55	-	0	19	53
	54	-	0	12	57
	49	-	0	44	46
	126	5	0	21	10
	77	-	0	10	28
	82	-	0	10	03
	83	-	0	10	61
	84	-	0	21	61
	91	2	0	14	36
	90	-	0	27	32
	96	-	0	23	63
	93	A	0	32	86
	93	B	0	21	78
जेकोत	47	109	0	07	11
	47	68	0	23	37
	47	70	0	14	72
	47	69	0	18	76
	47	67	0	02	89
	47	75	0	07	66
	47	66	0	15	62
	21	-	0	03	06
	23	5	0	26	32
	20	1	0	20	17
	47	92	0	19	41
	47	88	0	02	46
	47	93	0	24	75
	47	94	0	23	54
रामपुरा	20	-	0	05	54
	1	5A1	0	54	73
	1	5A2	0	54	73
काली तलाइ	68	-	0	11	25
	63	-	0	20	50
	58	-	0	07	23
	62	-	0	16	87
	46	-	0	17	57
	44	-	0	21	85

1	2	3	4	5	6
काली तलाइ (जारी)	43	-	0	18	99
	41	-	0	03	02
	42	-	0	00	06
	40	-	0	13	44
	69	-	0	38	36
	67	-	0	35	31
	64	-	0	38	69
	60	-	0	25	69
	31	1	0	25	36
चापरी	65	-	0	15	96
	64	-	0	11	44
	7	B	0	07	67
	7	A	0	21	71
	6	-	0	23	31
	180	A	0	34	05
	180	B	0	28	27
	180	C	0	06	69
	175	-	0	00	26
	174	-	0	29	24
	172	1	0	25	64
	172	2	0	21	45
बोरवानी	141	-	0	19	31
	143	-	0	13	10
	140	-	0	10	48
	142	-	0	34	20
खरोड	74	-	0	16	67
	67	-	0	16	75
	72	-	0	21	94
	71	-	0	05	06
	47	-	0	19	82
	69	-	0	19	29
	64	-	0	10	64
	63	1	0	17	94
	403	-	0	04	61
	402	-	0	06	59
	301	102	0	02	29
	301	103	0	22	23
	301	104	0	09	01
	70	-	0	36	87
उसरवाण	135	-	0	13	02
	140	-	0	28	87
	143	-	0	25	79
	144	-	0	36	10
	145	-	0	04	23
	166	-	0	11	87

1	2	3	4	5	6
उसरवाण (जारी)	168	-	0	00	63
	167	-	0	17	25
	165	-	0	06	67
	163	-	0	00	73
	162	-	0	28	31
	158	-	0	00	52
	157	-	0	12	87
उकारडी	285	-	0	25	46
	283	-	0	11	44
	284	-	0	08	08
	282	1	0	01	08
	281	-	0	29	39
	280	2	0	10	36
	280	1	0	00	77
	294	2	0	07	34
	344	-	0	31	61
	345	-	0	14	69
	356	-	0	34	58
	360	1	0	08	26
	360	2	0	08	09
	360	3	0	07	25
	360	4	0	07	85
	359	-	0	13	41
राजपुर	112	1	0	37	36
	112	2	0	05	90
	111	-	0	43	12
	117	1	0	00	68
	108	-	0	64	06
	107	-	0	17	09
	116	-	0	00	49
	105	-	0	10	20
	106	-	0	10	44
खरेडी	76	1	0	15	25
	77	-	0	30	90
	78	1	0	28	22
	80	-	0	16	15
	83	-	0	20	94
	85	1	0	21	21
	87	-	0	11	55
	88	-	0	03	66
	94	1A+1B	0	32	72
	97	-	0	18	90
	119	1	0	24	16
	119	2	0	10	20

1	2	3	4	5	6
खरेडी (जारी)	118	-	0	16	12
	116	-	0	16	59
	115	-	0	21	44
	125	-	0	16	85
	214	P1	3	13	64
	217	-	0	25	33
	86	-	0	00	12
नानी रणापुर	50	-	0	18	45
	49	-	0	27	14
	55	1	0	02	75
	56	1	0	09	75
	57	1	0	01	33
	67	1	0	31	44
	64	-	0	25	13
	63	-	0	00	07
	65	3	0	24	98
	80	1	0	23	60
	131	3	0	04	94
	122	-	0	31	14
	123	-	0	32	98
	111	-	0	31	45
	109	-	0	07	29
	108	-	0	36	80
नवागाँव	441	2	0	26	61
	425	-	0	00	11
	440	-	0	08	53
	439	2	0	23	28
	438	1	0	06	78
	438	2	0	06	78
	437	-	0	05	51
	436	1	0	22	38
	435	1	0	07	51
	434	2	0	04	26
	434	1	0	13	90
	433	-	0	10	49
	431	1	0	14	70
	431	2	0	13	46
	432	1	0	09	15
	480	-	0	00	72
	399	1	0	13	00
	397	-	0	11	44
	395	-	0	06	96
	394	2	0	00	20
	391	1	0	33	63
	392	1	0	21	49

1	2	3	4	5	6
नवागाँव (जारी)	384	1	0	09	13
	386	-	0	30	20
	378	-	0	19	89
	375	2	0	00	69
	376	-	0	25	57
	348	A	0	01	67
	335	-	0	00	86
	336	1	0	20	66
	348	B	0	13	50
	347	1	0	06	38
	347	2	0	08	11
	345	-	0	07	58
	346	-	0	09	32
	321	-	0	17	40
	322	1	0	11	31
	322	2	0	47	05
	284	-	0	19	84
	265	-	0	05	23
	264	1	0	23	55
	265	1	0	06	60
	269	-	0	58	67
	270	-	0	00	55
	267	1	0	21	89
	268	1	0	21	56
	247	-	0	22	51
	249	-	0	03	14
	246	1	0	31	44
	237	-	0	36	44
	236	-	0	22	18
तानाचीया	267	2	0	19	53
	268	2	0	14	60
	270	-	0	00	64
	269	-	0	19	23
	40	-	0	47	14
	39	-	0	00	89
	92	-	0	35	32
	72	-	0	16	39
	73	-	0	24	54
	102	-	0	03	83
	100	-	0	00	45
	101	-	0	22	75
	127	-	0	46	29
	99	-	0	40	07
	134	-	0	20	73

1	2	3	4	5	6
तानाचीया(जारी)	95	-	0	00	71
	135	-	0	21	37
	136	-	0	33	24
	91	-	0	33	17
हीमाला	123	3	0	30	65
	123	2	0	35	51
	112	-	0	11	51
	110	-	0	09	23
	108	-	0	27	09
	109	-	0	17	37
	106	-	0	35	88
	104	-	0	00	05
	105	-	0	16	92
	96	-	0	02	65
	97	-	0	43	61
	76	-	0	21	82
	65	-	0	40	10
	218	-	0	35	30
	219	-	0	12	98
	16	-	0	25	34
	220	-	0	00	16
	24	-	0	06	87
	11	-	0	15	33
	10	-	0	15	34
	9	2	0	11	26
	9	4	0	09	79
	9	3	0	21	30
	9	5	0	05	65
कोटडा खुर्द	89	-	0	37	32
	91	-	0	30	93
	1	-	0	03	38
रीचादा	258	-	0	04	66
	244	1	0	40	19
	243	-	0	00	35
	242	9	0	10	53
	246	-	0	09	59
	242	7	0	34	02
	237	2	0	02	64
	233+248	-	0	27	69
	235	-	0	02	37
	234	-	0	08	85
	233	-	0	13	27
	228	-	0	01	15
	232	-	0	23	34

1	2	3	4	5	6
रीचार्ड (जारी)	231	-	0	03	24
	229	-	0	14	50
	202	2/2	0	01	71
	202	3/2+3/1	0	12	98
	203	-	0	14	57
	176	1	0	16	93
	176	2	0	07	17
	169	-	0	29	14
	168	-	0	24	13
	166	1	0	14	89
	164	-	0	15	84
	163	-	0	09	13
उदार	88	-	0	15	48
	89	-	0	21	72
	58	2/14	0	08	40
	58	2/13	0	20	06
	59	-	0	09	72
	60	-	0	18	29
	87	2	0	43	52
	57	-	0	19	07
	58	2/4	0	30	05
	14	-	0	34	14
खेरा	45	14	0	11	20
	45	13	0	12	01
	45	12	0	15	55
	45	3	0	15	04
	45	5	0	32	59
	47	-	0	06	21
	46	-	0	18	93
	4	-	0	30	21

[फा. सं. आर-25011/6/2006-ओ.आर.-1]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 10th March, 2006

S. O. 965.—Whereas by the notification of the Government of India. Ministry of Petroleum and Natural Gas. S.O. 2756 dated 02-08-2005 under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the land specified in the schedule in Tehsil -Dahod, Dist. Dahod, State Gujarat, for the purpose of laying pipeline for the transportation of Petroleum Product from Koyali to Ratlam in the State of Gujarat by the Indian Oil Corporation Limited.

And whereas, the copies of the said gazette notification were made available to the general public on 07-09-2005.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that right of user in the land specified in the schedule appended to this notification should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule annexed to this notification is hereby acquired for laying the pipeline.

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby direct that the right of user in the said land shall instead of vesting the Central Government, vests from the date of the publication of this declaration in the Indian oil corporation limited free from all encumbrances.

SCHEDULE

Tehsil :- Dahod	Dist :- Dahod		State :- Gujarat		
Name of Village	Survey/Block NO.	Sub-Div. No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
Rozam	59	-	0	28	21
	126	3	0	05	94
	55	-	0	19	53
	54	-	0	12	57
	49	-	0	44	46
	126	5	0	21	10
	77	-	0	10	28
	82	-	0	10	03
	83	-	0	10	61
	84	-	0	21	61
	91	2	0	14	36
	90	-	0	27	32
	96	-	0	23	63
	93	A	0	32	86
	93	B	0	21	78
	47	109	0	07	11
	47	68	0	23	37
	47	70	0	14	72
	47	69	0	18	76
	47	67	0	02	89
Jekot	47	75	0	07	66
	47	66	0	15	62
	21	-	0	03	06
	23	5	0	26	32
	20	1	0	20	17
	47	92	0	19	41
	47	88	0	02	46
	47	93	0	24	75
	47	94	0	23	54
	20	-	0	05	54
Rampura	1	5A1	0	54	73
	1	5A2	0	54	73

1	2	3	4	5	6
Kali Talai	68	-	0	11	25
	63	-	0	20	50
	58	-	0	07	23
	62	-	0	16	87
	46	-	0	17	57
	44	-	0	21	85
	43	-	0	18	99
	41	-	0	03	02
	42	-	0	00	06
	40	-	0	13	44
Kali Talai (Contd.)	69	-	0	38	36
	67	-	0	35	31
	64	-	0	38	69
	60	-	0	25	69
	31	1	0	25	36
	65	-	0	15	96
	64	-	0	11	44
	7	B	0	07	67
	7	A	0	21	71
	6	-	0	23	31
Chapari	180	A	0	34	05
	180	B	0	28	27
	180	C	0	06	69
	175	-	0	00	26
	174	-	0	29	24
	172	1	0	25	64
	172	2	0	21	45
	141	-	0	19	31
	143	-	0	13	10
	140	-	0	10	48
Borvani	142	-	0	34	20
	74	-	0	16	67
	67	-	0	16	75
	72	-	0	21	94
	71	-	0	05	06
	47	-	0	19	82
	69	-	0	19	29
	64	-	0	10	64
	63	1	0	17	94
	403	-	0	04	61
Kharod	402	-	0	06	59
	301	102	0	02	29
	301	103	0	22	23
	301	104	0	09	01
	70	-	0	36	87
	135	-	0	13	02
	140	-	0	28	87
	143	-	0	25	79
	144	-	0	36	10
	145	-	0	04	23
Usarvan	145	-	0	04	23

1	2	3	4	5	6
Usarvan (Contd.)	166	-	0	11	87
	168	-	0	00	63
	167	-	0	17	25
	165	-	0	06	67
	163	-	0	00	73
	162	-	0	28	31
	158	-	0	00	52
	157	-	0	12	87
	285	-	0	25	46
	283	-	0	11	44
Ukardi	284	-	0	08	08
	282	1	0	01	08
	281	-	0	29	39
	280	2	0	10	36
	280	1	0	00	77
	294	2	0	07	34
	344	-	0	31	61
	345	-	0	14	69
	356	-	0	34	58
	360	1	0	08	26
Rajpur	360	2	0	08	09
	360	3	0	07	25
	360	4	0	07	85
	359	-	0	13	41
	112	1	0	37	36
	112	2	0	05	90
	111	-	0	43	12
	117	1	0	00	68
	108	-	0	64	06
	107	-	0	17	09
Kharedi	116	-	0	00	49
	105	-	0	10	20
	106	-	0	10	44
	76	1	0	15	25
	77	-	0	30	90
	78	1	0	28	22
	80	-	0	16	15
	83	-	0	20	94
	85	1	0	21	21
	87	-	0	11	55
	88	-	0	03	66
	94	1A+1B	0	32	72
	97	-	0	18	90
	119	1	0	24	16

1	2	3	4	5	6
Kharedi (Contd.)	119	2	0	10	20
	118	-	0	16	12
	116	-	0	16	59
	115	-	0	21	44
	125	-	0	16	85
	214	P1	3	13	64
	217	-	0	25	33
	86	-	0	00	12
	50	-	0	18	45
	49	-	0	27	14
Nani Ranapur	55	1	0	02	75
	56	1	0	09	75
	57	1	0	01	33
	67	1	0	31	44
	64	-	0	25	13
	63	-	0	00	07
	65	3	0	24	98
	80	1	0	23	60
	131	3	0	04	94
	122	-	0	31	14
	123	-	0	32	98
	111	-	0	31	45
	109	-	0	07	29
	108	-	0	36	80
	441	2	0	26	61
	425	-	0	00	11
	440	-	0	08	53
Navagam	439	2	0	23	28
	438	1	0	06	78
	438	2	0	06	78
	437	-	0	05	51
	436	1	0	22	38
	435	1	0	07	51
	434	2	0	04	26
	434	1	0	13	90
	433	-	0	10	49
	431	1	0	14	70
	431	2	0	13	46
	432	1	0	09	15
	480	-	0	00	72
	399	1	0	13	00
	397	-	0	11	44
	395	-	0	06	96
	394	2	0	00	20

1	2	3	4	5	6
Navagam (Contd.)	391	1	0	33	83
	392	1	0	21	49
	384	1	0	09	13
	386	-	0	30	20
	378	-	0	19	89
	375	2	0	00	89
	376	-	0	25	57
	348	A	0	01	87
	335	-	0	00	88
	336	1	0	20	88
	348	B	0	13	50
	347	1	0	08	38
	347	2	0	08	11
	345	-	0	07	58
	346	-	0	09	32
	321	-	0	17	40
	322	1	0	11	31
	322	2	0	47	05
	284	-	0	19	84
	285	-	0	05	23
	284	1	0	23	55
	285	1	0	08	80
	289	-	0	58	67
	270	-	0	00	55
	287	1	0	21	89
	288	1	0	21	56
	247	-	0	22	51
	249	-	0	03	14
	246	1	0	31	44
	237	-	0	36	44
	238	-	0	22	18
Tanachiya	287	2	0	19	53
	288	2	0	14	80
	270	-	0	00	64
	289	-	0	19	23
	40	-	0	47	14
	39	-	0	00	89
	92	-	0	35	32
	72	-	0	18	39
	73	-	0	24	54
	102	-	0	03	83
	100	-	0	00	45
	101	-	0	22	75
	127	-	0	48	29

1	2	3	4	5	6
Tanachiya (Contd.)	99	-	0	40	07
	134	-	0	20	73
	95	-	0	00	71
	135	-	0	21	37
	136	-	0	33	24
	91	-	0	33	17
Himala	123	3	0	30	65
	123	2	0	35	51
	112	-	0	11	51
	110	-	0	09	23
	108	-	0	27	09
	109	-	0	17	37
	106	-	0	35	88
	104	-	0	00	05
	105	-	0	16	92
	96	-	0	02	65
	97	-	0	43	61
	76	-	0	21	82
	65	-	0	40	10
	218	-	0	35	30
	219	-	0	12	98
	16	-	0	25	34
	220	-	0	00	16
	24	-	0	06	87
	11	-	0	15	33
	10	-	0	15	34
	9	2	0	11	26
	9	4	0	09	79
	9	3	0	21	30
	9	5	0	05	65
Kotada Khurd	89	-	0	37	32
	91	-	0	30	93
	1	-	0	03	38
Richarda	258	-	0	04	66
	244	1	0	40	19
	243	-	0	00	35
	242	9	0	10	53
	246	-	0	09	59
	242	7	0	34	02
	237	2	0	02	64
	233+248	-	0	27	69
	235	-	0	02	37
	234	-	0	08	85
	233	-	0	13	27

1	2	3	4	5	6
Richarda (Contd.)	228	-	0	01	15
	232	-	0	23	34
	231	-	0	03	24
	229	-	0	14	50
	202	2/2	0	01	71
	202	3/2+3/1	0	12	98
	203	-	0	14	57
	176	1	0	16	93
	176	2	0	07	17
	169	-	0	29	14
	168	-	0	24	13
	166	1	0	14	89
	164	-	0	15	84
	183	-	0	09	13
Udar	88	-	0	15	48
	89	-	0	21	72
	58	2/14	0	08	40
	58	2/13	0	20	6
	59	-	0	09	72
	60	-	0	18	29
	87	2	0	43	52
	57	-	0	19	07
	58	2/4	0	30	05
	14	-	0	34	14
Kheng	45	14	0	11	20
	45	13	0	12	01
	45	12	0	15	55
	45	3	0	15	04
	45	5	0	32	59
	47	-	0	06	21
	46	-	0	18	93
	4	-	0	30	21

[F. No. R-25011/6/2006-O.R.-I]

S. K. CHITKARA, Under Secy.

नई दिल्ली, 10 मार्च, 2006

का. आ. 966.—केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत के राजपत्र, तारीख 6-8-2005 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का आ. संख्या 2757 तारीख 02-08-2005 द्वारा उस अधिसूचना से उपाबद्ध अनुसूचि तहसील-बारीया, जिला दाहोद, राज्य गुजरात में विनिर्दिष्ट भूमि में कोयली से रतलाम तक पेट्रोलियम उत्पादनों के परिवहन के लिए इंडियन ऑयल कार्पोरेशन लिमिटेड, यडोदरा द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी।

और उक्त राजपत्र अधिसूचना की प्रतियां ता. 07-09-2005 से जनता को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाए;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि पाइपलाइन बिछाने के लिए इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय इंडियन ऑयल कॉर्पोरेशन लिमिटेड वडोदरा में सभी विल्लगमों से मुक्त होकर प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

तालुका : बारीया	जिला : दाहोद		राज्य : गुजरात		
गाँव का नाम	सर्वेक्षण सं-खण्ड सं.	उप-खण्ड सं.	क्षेत्रफल		
			हेक्टर	एयर	वर्ग मिटर
1	2	3	4	5	6
नाथुडी	8	-	0	26	95
	2	-	0	07	73
रामा	124	-	0	19	17
	126	-	0	29	07
	128	-	0	30	75
	129	-	0	38	62
	144	1	0	03	62
	144	2	0	20	65
	147	-	0	14	27
	173	-	0	04	69
	174	-	0	25	98
	175	-	0	10	17
कालीयागोटा	303	-	0	43	91
	320	-	0	16	11
	229	1P2	0	15	51
	229	1P4	0	28	54
	231	-	0	01	24
	311	-	0	28	30
	232	-	0	02	71
	234	P1	0	09	74
	234	P2	0	07	68
	218	-	0	21	05
	215	-	0	05	45
	214	-	0	09	55
	170	P4	0	12	64
	175	-	0	35	39
	174	-	0	55	50
	173	-	0	00	17
	179	-	0	00	53
	180	-	0	13	13

1	2	3	4	5	6
रेबारी	215	P1	0	21	30
	215	P2	0	27	29
	214	-	0	00	91
	213	P1	0	02	05
	213	P2	0	29	97
	137	-	0	38	95
	135	P1	0	07	38
	135	P2	0	12	06
	131	-	0	08	59
	130	P1	0	19	78
	130	P2	0	01	70
	129	P1	0	00	47
	128	P1	0	18	88
	128	P2	0	16	50
	99	-	0	11	05
	102	-	0	00	01
	101	2	0	24	35
	106	-	0	12	25
	107	P1	0	14	46
	107	P2	0	16	01
	105	-	0	00	46
	91	-	0	08	26
	109	-	0	20	02
	110	2	0	11	13
	110	1	0	13	62
	88	P2	0	08	41
मोती-झारी	15	P2	0	03	95
	15	P4	0	10	77
	15	P3	0	00	45
	17	-	0	13	28
	18	1	0	11	16
	18	2	0	15	68
	8	-	0	02	95
	7	P1	0	34	71
	4	-	0	28	11
	3	-	0	35	57
	33	-	0	09	59
	208	-	0	21	17
	209	P1	0	07	89
	209	P2	0	10	08
	207	-	0	20	97
	206	-	0	12	01
	198	1	0	19	21
	198	2	0	07	62
	197	-	0	17	29
	196	1	0	08	45
	195	-	0	02	28
	194	-	0	17	71
	192	1	0	17	53

1	2	3	4	5	6
मोती-झारी (जारी)	193	-	0	11	19
पीपलोद	473	-	0	06	94
	474	-	0	17	62
	580	1	0	11	48
	579	-	0	01	01
	285	-	0	34	20
	594	1	0	14	80
	609	P1	0	05	16
	593	-	0	13	56
	639	-	0	15	24
	598	-	0	45	96
	241	-	0	20	22
	483	-	0	00	05
	239	-	0	04	63
	240	P2	0	17	31
	237	-	0	20	97
	236	-	0	34	51
	235	-	0	26	85
	297	-	0	86	81
पंचेला	81	-	0	10	32
	82	-	0	18	62
	79	P2	0	01	04
	87	1	0	26	57
	88	-	0	13	65
	100	-	0	00	03
	89	-	0	23	37
	98	-	0	19	14
	97	P1	0	26	83
	130	-	0	05	31
	127	-	0	14	19
	128	-	0	16	44
	86	3P2	0	15	28
	86	3P1	0	16	37
	95	P1	0	20	51
	95	P2	0	11	78

[फा. सं. आर-25011/6/2006-ओ.आर.-1]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 10th March, 2006

S. O. 966.— Whereas by the notification of the Government of India. Ministry of Petroleum and Natural Gas. S.O. 2757 dated 02-08-2005 under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the land specified in the schedule in Tehsil -Baria, Dist. Dahod, State Gujarat, for the purpose of laying pipeline for the transportation of Petroleum Product from Koyali to Ratlam in the State of Gujarat by the Indian Oil Corporation Limited.

And whereas, the copies of the said gazette notification were made available to the general public on 07-09-2005.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that right of user in the land specified in the schedule appended to this notification should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act. the Central Government hereby declares that the right of user in the land specified in the Schedule annexed to this notification is hereby acquired for laying the pipeline.

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act. the Central Government hereby direct that the right of user in the said land shall instead of vesting the Central Government, vests from the date of the publication of this declaration in the Indian oil corporation limited free from all encumbrances.

SCHEDULE

Tehsil :- Bariya	Dist :- Dahod		State:-Gujarat		
Name of Village	Survey/Block NO.	Sub-Div. NO.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
Nathudi	8	-	0	26	95
	2	-	0	07	73
Rama	124	-	0	19	17
	126	-	0	29	07
	128	-	0	30	75
	129	-	0	38	62
	144	1	0	03	62
	144	2	0	20	65
	147	-	0	14	27
	173	-	0	04	69
	174	-	0	25	98
	175	-	0	10	17
Kaliyagota	303	-	0	43	91
	320	-	0	16	11
	229	1P2	0	15	51
	229	1P4	0	28	54
	231	-	0	01	24
	311	-	0	28	30
	232	-	0	02	71
	234	P1	0	09	74
	234	P2	0	07	68
	218	-	0	21	05
215	-	0	05	45	
214	-	0	09	55	

1	2	3	4	5	6
Rebari (Contd.,	170	P4	0	12	64
	175	-	0	35	39
	174	-	0	55	50
	173	-	0	00	17
	179	-	0	00	53
Rebari	180	-	0	13	13
	215	P1	0	21	30
	215	P2	0	27	29
	214	-	0	00	91
	213	P1	0	02	05
	213	P2	0	29	97
	137	-	0	38	95
	135	P1	0	07	38
	135	P2	0	12	06
	131	-	0	08	59
	130	P1	0	19	78
	130	P2	0	01	70
	129	P1	0	00	47
	128	P1	0	18	88
	128	P2	0	16	50
	99	-	0	11	05
	102	-	0	00	01
	101	2	0	24	35
	106	-	0	12	25
	107	P1	0	14	46
	107	P2	0	16	01
	105	-	0	00	46
	91	-	0	08	26
	109	-	0	20	02
	110	2	0	11	13
	110	1	0	13	62
	88	P2	0	08	41
Moti -Zari	15	P2	0	03	95
	15	P4	0	10	77
	15	P3	0	00	45
	17	-	0	13	28
	18	1	0	11	16
	18	2	0	15	68
	8	-	0	02	95
	7	P1	0	34	71
	4	-	0	28	11
	3	-	0	35	57
	33	-	0	09	59
	208	-	0	21	17
	209	P1	0	07	89
	209	P2	0	10	08
	207	-	0	20	97
	206	-	0	12	01
	198	1	0	19	21

1	2	3	4	5	6
Moti-Zarl (Contd.)	198	2	0	07	62
	197	-	0	17	29
	196	1	0	08	45
	195	-	0	02	28
	194	-	0	17	71
	192	1	0	17	53
	193	-	0	11	19
	473	-	0	06	94
	474	-	0	17	62
	580	1	0	11	48
	579	-	0	01	01
	285	-	0	34	20
	594	1	0	14	80
	609	P1	0	05	16
Piplod	593	-	0	13	56
	639	-	0	15	24
	598	-	0	45	96
	241	-	0	20	22
	483	-	0	00	05
	239	-	0	04	63
	240	P2	0	17	31
	237	-	0	20	97
	236	-	0	34	51
	235	-	0	26	85
	297	-	0	86	81
	81	-	0	10	32
	82	-	0	18	62
	79	P2	0	01	04
Panchela	87	1	0	26	57
	88	-	0	13	65
	100	-	0	00	03
	89	-	0	23	37
	98	-	0	19	14
	97	P1	0	26	83
	130	-	0	05	31
	127	-	0	14	19
	128	-	0	16	44
	86	3P2	0	15	28
	86	3P1	0	16	37
	95	P1	0	20	51
	95	P2	0	11	78

[F. No. R-25011/6/2006-O.R.-I]
S. K. CHITKARA, Under Secy.

नई दिल्ली, 10 मार्च, 2006

का. आ. 967.—केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत के राजपत्र, तारीख 6-8-2005 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का आ. संख्या 2758 तारीख 02-08-2005 द्वारा उस अधिसूचना से उपाबद्ध अनुसूचि तहसील-लीमखेडा, जिल्ला दाहोद, राज्य गुजरात में विनिर्दिष्ट भूमि में कोयली से रतलाम तक पेट्रोलियम उत्पादनों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड, वडोदरा द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी।

और उक्त राजपत्र अधिसूचना की प्रतियां ता. 07-09-2005 से जनता को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाए;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि पाइपलाइन बिछाने के लिए इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय इंडियन ऑयल कॉर्पोरेशन लिमिटेड वडोदरा में सभी विलगनों से मुक्त होकर प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

तालुका : लीमखेडा	जिला : दाहोद		राज्य : गुजरात		
	सर्वेक्षण सं-खण्ड सं.	उप-खण्ड सं.	क्षेत्रफल		
			हेक्टर	एयर	वर्ग मिटर
1	2	3	4	5	6
प्रतापपुरा	58	3	0	14	40
	89	-	0	40	11
	66	-	0	00	80
	65	-	0	24	69
	52	-	0	22	25
	51	1	0	09	09
	51	2	0	17	01
	50	3	0	13	98
	49	1	0	19	58
	47	-	0	17	98
	74	1	0	15	06

1	2	3	4	5	6
प्रतापपुरा (जारी)	74	2	0	18	63
	5	-	0	18	28
	6	P1	0	02	38
	6	P2	0	04	91
पानीया	137	6	0	08	12
	137	3	0	03	13
	137	2	0	03	68
	136	1+2	0	49	77
	131	2	0	16	10
	131	1	0	16	24
	130	-	0	17	52
	125	P9	0	27	66
	125	P7	0	52	09
	125	8	0	27	38
	125	P1	0	50	22
	125	6P	0	23	47
पत्ताली	119	P 4	0	15	54
	119	P9	0	22	09
	119	P22	0	20	96
	119	-	0	22	09
	119	P3	0	34	89
	119	P17	0	28	57
	119	P18	0	08	90
	119	P23	0	21	87
	95	-	0	01	42
	93	P2	0	19	85
अंधारी	60	-	2	24	78
	97	-	0	11	33
	53	-	0	21	14
	89	-	0	02	82
	47	-	0	31	85
	45	2	0	04	78
	46	P1	0	01	02
	46	P2	0	02	31
	44	1	0	20	53
	43	1	0	18	90
	42	1	0	24	53
	42	2	0	09	10
	84	-	0	20	42
खुंधा	199	-	0	00	20
	207	-	0	54	76
	58	-	1	56	80
	180	-	0	08	25
	179	-	0	08	64
	35	1	0	10	41
	35	6	0	05	84
	35	5	0	07	10
	35	7	0	12	35
	39	-	0	22	99
	34	-	0	16	64
	31	A	0	24	20

1	2	3	4	5	6
खुधा (जारी)	31	B	0	07	83
	26	2	0	16	39
	26	1	0	12	21
	18	-	0	24	97
	15	2	0	07	52
	15	1	0	05	26
	14	4	0	02	82
	14	2+3	0	17	14
	13	1+3	0	05	05
	172	1+3	0	19	56
	11	-	0	14	59
	10	-	0	14	99
	9	4	0	10	24
	9	2	0	09	29
	9	3	0	07	47
	9	1	0	02	41
	9	5	0	00	46
	8	-	0	18	28
	7	10	0	02	02
	7	2	0	02	81
	7	7+3	0	02	24
	7	6	0	02	30
	7	1	0	02	26
	7	4	0	02	16
	7	5+8+9	0	06	43
	6	1	0	19	70
खीरखेरी	87	P5	0	30	83
	237	-	0	20	63
	67	3+4	0	21	88
	70	-	0	01	00
	66	-	0	13	40
	68	1+2P/1+4+5	0	17	27
	68	3	0	05	93
	69	1P2	0	01	68
	174	P3	0	12	54
	174	P12	0	16	77
	172	-	0	20	14
	171	2	0	03	55
	171	6+8+10	0	00	35
	171	7	0	04	41
	173	1	0	09	32
	173	2+3+4	0	07	99
	169	4	0	24	91
	168	-	0	13	79
	167	-	0	09	08
	165	1P2	0	17	87
	165	1P1+1P3	0	10	95
	161	A	0	25	87
	159	-	0	22	84
	218	-	0	10	31
	174	P8	0	12	91
	156	B	0	06	61
	174	P2	0	35	08
	174	P1	0	16	85
धाधरा	53	-	0	69	79

1	2	3	4	5	6
वालुन्दी	49	-	0	14	94
	48	-	0	27	26
	2	-	0	09	28
पोलीसीमळ	36	-	0	12	18
	5	-	0	26	47
	4	-	0	16	59
	14	-	0	01	07
	15	-	0	30	70
	25	2	0	08	74
	24	-	0	27	81
टांटाघाटी	13	-	0	07	66

[फा. सं. आर-25011/6/2006-ओ.आर.-I]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 10th March, 2006

S. O. 967.— Whereas by the notification of the Government of India. Ministry of Petroleum and Natural Gas. S.O. 2758 dated 02-08-2005 under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the land specified in the schedule *in* Tehsil -Limkheda, Dist. Dahod, State Gujarat, for the purpose of laying pipeline for the transportation of Petroleum Product from Koyali to Ratlam in the State of Gujarat by the Indian Oil Corporation Limited.

And whereas, the copies of the said gazette notification were made available to the general public on 07-09-2005.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that right of user in the land specified in the schedule appended to this notification should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act. the Central Government hereby declares that the right of user in the land specified in the Schedule annexed to this notification is hereby acquired for laying the pipeline.

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act. the Central Government hereby direct that the right of user in the said land shall instead of vesting the Central Government, vests from the date of the publication of this declaration in the Indian oil corporation limited free from all encumbrances.

SCHEDULE

Tehsil :- Limkheda	Dist :- Dahod		State :- Gujarat			
Name of Village	Survey/Block NO.	Sub-Division NO.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
Pratappura	58	3	0	14	40	
	89	-	0	40	11	
	66	-	0	00	80	
	65	-	0	24	69	
	52	-	0	22	25	
	51	1	0	09	09	
	51	2	0	17	01	
	50	3	0	13	98	
	49	1	0	19	58	
	47	-	0	17	98	
	74	1	0	15	06	
	74	2	0	18	63	
	5	-	0	18	28	
	6	P1	0	02	38	
	6	P2	0	04	91	
	Panja	137	6	0	08	12
		137	3	0	03	13
		137	2	0	03	68
136		1+2	0	49	77	
131		2	0	16	10	
131		1	0	16	24	
130		-	0	17	52	
125		P9	0	27	66	
125		P7	0	52	09	
125		P8	0	27	38	
125		P1	0	50	22	
125		6P	0	23	47	
Palali		119	P14	0	15	54
		119	P9	0	22	09
		119	P22	0	20	96
		119	-	0	22	09
		119	P3	0	34	89
		119	P17	0	28	57
	119	P18	0	08	90	
	119	P23	0	21	87	
	95	-	0	01	42	
	93	P2	0	19	85	
	Andhari	60	-	2	24	78
		97	-	0	11	33

1	2	3	4	5	6
Andhari (Contd.)	53	-	0	21	14
	89	-	0	02	82
	47	-	0	31	85
	45	2	0	04	78
	46	P1	0	01	02
	46	P2	0	02	31
	44	1	0	20	53
	43	1	0	18	90
	42	1	0	24	53
	42	2	0	09	10
	84	-	0	20	42
	199	-	0	00	20
	207	-	0	54	76
	58	-	1	56	80
	180	-	0	08	25
	179	-	0	08	64
	35	1	0	10	41
Kundha	35	6	0	05	84
	35	5	0	07	10
	35	7	0	12	35
	39	-	0	22	99
	34	-	0	16	64
	31	A	0	24	20
	31	B	0	07	83
	26	2	0	16	39
	26	1	0	12	21
	18	-	0	24	97
	15	2	0	07	52
	15	1	0	05	26
	14	4	0	02	82
	14	2+3	0	17	14
	13	1+3	0	05	05
	172	1+3	0	19	56
	11	-	0	14	59
	10	-	0	14	99
	9	4	0	10	24
	9	2	0	09	29
	9	3	0	07	47
	9	1	0	02	41
	9	5	0	00	46
	8	-	0	18	28
	7	10	0	02	02
	7	2	0	02	81
	7	7+3	0	02	24

1	2	3	4	5	6
Kundha (Contd.)	7	6	0	02	30
	7	1	0	02	26
	7	4	0	02	16
	7	5+8+9	0	06	43
	6	1	0	19	70
Khirkheri	87	P5	0	30	83
	237	-	0	20	63
	67	3+4	0	21	88
	70	-	0	01	00
	66	-	0	13	40
	68	1+2P/1+4+5	0	17	27
	68	3	0	05	93
	69	1P2	0	01	68
	174	P3	0	12	54
	174	P12	0	16	77
	172	-	0	20	14
	171	2	0	03	55
	171	6+8+10	0	00	35
	171	7	0	04	41
	173	1	0	09	32
	173	2+3+4	0	07	99
	169	4	0	24	91
	168	-	0	13	79
	167	-	0	09	08
	165	1P2	0	17	87
	165	1P1+1P3	0	10	95
	161	A	0	25	87
	159	-	0	22	84
	218	-	0	10	31
	174	P8	0	12	91
	156	B	0	06	61
	174	P2	0	35	08
	174	P1	0	16	85
Dhadhara	53	-	0	69	79
Valundi	49	-	0	14	94
	48	-	0	27	26
	2	-	0	09	28
Policimal	36	-	0	12	18
	5	-	0	26	47
	4	-	0	16	59

1	2	3	4	5	6
Pollcimal (Contd.)	14	-	0	01	07
	15	-	0	30	70
	25	2	0	08	74
	24	-	0	27	81
Tantaghati	13	-	0	07	66

[F. No. R-25011/6/2006-O.R.-I]
S. K. CHITKARA, Under Secy.

नई दिल्ली, 10 मार्च, 2006

का. आ. 968.— केन्द्रीय सरकार ने पेट्रोलियम और प्राकृतिक गैस मंत्रालय के का. आ. 1183 दिनांक 29.03.2005 द्वारा पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन अधिसूचना प्रकाशित कर, सलाया-मयुरा पाइपलाइन प्रणाली के विमगाम-चाकसू, चाकसू-पानीपत एवं चाकसू-मयुरा सेक्शनों की संवर्द्धन परियोजना हेतु, अपरिष्कृत तेल का परिवहन करने के प्रयोजन के लिए, विमगाम (गुजरात राज्य) से चाकसू (राजस्थान राज्य) होते हुए पानीपत (हरियाणा राज्य) तक पाइपलाइन बिछाने हेतु उक्त अधिसूचना में विनिर्दिष्ट तालूका देवरोज रामपुरा, जिला अहमदाबाद गुजरात राज्य की भूमि अधिसूचित की थी।

और उक्त अधिसूचना की प्रतियाँ जनता को दिनांक 25.05.2005 तक उपलब्ध करा दी गई थी।

और उक्त अधिनियम की धारा 6 की उप-धारा (1) के अनुसरण में सक्षम प्राधिकारी, गुजरात, ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूचित में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तालुका : देत्रोज रामपुरा

जिला : अहमदाबाद

राज्य : गुजरात

गांव का नाम	सर्वे सं.	उप-खण्ड सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5	6
नदीशाला	314		0	09	70
रुदातल	113		0	10	16

[फा. सं. आर-25011/9/2001-ओ.आर.-1]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 10th March, 2006

S.O. 968.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. number 1183 dated the 29.03.2005 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in Land) Act, 1962 (50 of 1962), (herein after referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land in Taluka : Detroj Rampura, District : Ahmedabad in the State of Gujarat, specified in the schedule appended to that notification, for the purpose of laying pipeline for the transportation of Crude Oil from Viramgam in the State of Gujarat to Panipat in the State of Haryana via Chaksu in the State of Rajasthan by the Indian Oil Corporation Limited for implementing the Augmentation of Viramgam - Chaksu, Chaksu - Panipat & Chaksu - Mathura sections of Salaya - Mathura Pipeline System Project.

And whereas, copy of the said notification was made available to the general public on 25.05.2005;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted his report to the Central Government;

And whereas, the Central Government, after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this Notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE**Taluka : Detroj Rampura****District : Ahmedabad****State : Gujarat**

Name of the Village	Survey No.	Sub-Division No.	Area		
			Hectare	Are	Sq.mtr.
1	2		3	4	5
Nadishala	314		0	09	70
Rudatal	113		0	10	16

[F. No. R-25011/9/2001-O.R.-I]
S. K. CHITKARA, Under Secy.

नई दिल्ली, 10 मार्च, 2006

का. आ. 969.—केन्द्रीय सरकार ने पेट्रोलियम और प्राकृतिक गैस मंत्रालय के का. आ. 1185 दिनांक 29.03.2005 द्वारा पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन अधिसूचना प्रकाशित कर, सलाया-मथुरा पाइपलाइन प्रणाली के विरमगाम-चाकसू, चाकसू-पानीपत एवं चाकसू-मथुरा सेक्शनों की संवर्द्धन परियोजना हेतु, अपरिष्कृत तेल का परिवहन करने के प्रयोजन के लिए, विरमगाम (गुजरात राज्य) से चाकसू (राजस्थान राज्य) होते हुए पानीपत (हरियाणा राज्य) तक पाइपलाइन बिछाने हेतु उक्त अधिसूचना में विनिर्दिष्ट तालूका चाणस्मा, जिला पाटण गुजरात राज्य की भूमि अधिसूचित की थी ।

और उक्त अधिसूचना की प्रतियाँ जनता को दिनांक 25.05.2005 तक उपलब्ध करा दी गई थी ।

और उक्त अधिनियम की धारा 6 की उप-धारा (1) के अनुसरण में सक्षम प्राधिकारी, गुजरात, ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ।

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूचित में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है ।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा ।

अनुसूची

तालूका : चाणस्मा

जिला : पाटण

राज्य : गुजरात

गांव का नाम	सर्वे सं.	उप-खण्ड सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
मुलथाणीया	12	1	0	06	47

[फा. सं. आर-25011/18/2001-ओ.आर.-1]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 10th March, 2006

S.O. 969.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. number 1185 dated the 29.03.2005 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in Land) Act, 1962 (50 of 1962), (herein after referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land in Taluka : Chanasma, District : Patan in the State of Gujarat, specified in the schedule appended to that notification, for the purpose of laying pipeline for the transportation of Crude Oil from Viramgam in the State of Gujarat to Panipat in the State of Haryana via Chaksu in the State of Rajasthan by the Indian Oil Corporation Limited for implementing the Augmentation of Viramgam - Chaksu, Chaksu - Panipat & Chaksu - Mathura sections of Salaya - Mathura Pipeline System Project.

And whereas, copy of the said notification was made available to the general public on 25.05.2005;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted his report to the Central Government;

And whereas, the Central Government, after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this Notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE**Taluka : Chanasma****District : Patan****State : Gujarat**

Name of the Village	Survey No.	Sub-Division No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
Multhaniya	12	1	0	06	47

[F. No. R-25011/18/2001-O.R.-I]
S. K. CHITKARA, Under Secy.

नई दिल्ली, 10 मार्च, 2006

का. आ. 970.—केन्द्रीय सरकार ने पेट्रोलियम और प्राकृतिक गैस मंत्रालय के का. आ. 1184 दिनांक 29.03.2005 द्वारा पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन अधिसूचना प्रकाशित कर, सलाया-मथुरा पाइपलाइन प्रणाली के विरमगाम-चाकसू, चाकसू-पानीपत एवं चाकसू-मथुरा सेक्शनों की संवर्द्धन परियोजना हेतु अपरिष्कृत तेल का परिवहन करने के प्रयोजन के लिए, विरमगाम (गुजरात राज्य) से चाकसू (राजस्थान राज्य) होते हुए पानीपत (हरियाणा राज्य) तक पाइपलाइन बिछाने हेतु उक्त अधिसूचना में विनिर्दिष्ट तालूका बेचराजी, जिला महेसाणा गुजरात राज्य की भूमि अधिसूचित की थी ।

और उक्त अधिसूचना की प्रतियाँ जनता को दिनांक 25.05.2005 तक उपलब्ध करा दी गई थी ।

और उक्त अधिनियम की धारा 6 की उप-धारा (1) के अनुसरण में सक्षम प्राधिकारी, गुजरात, ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ।

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूचित में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है ।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा ।

अनुसूची

तालूका : बेचराजी

जिला : महेसाणा

राज्य : गुजरात

गांव का नाम	सर्वे सं.	उप-खण्ड सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
रांतेज	242		0	04	11

[फा. सं. आर-25011/18/2001-ओ.आर.-I]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 10th March, 2006

S.O. 970.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas **S.O. number 1184 dated the 29.03.2005** issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in Land) Act, 1962 (50 of 1962), (herein after referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land in **Taluka : Becharaji, District : Mehsana in the State of Gujarat**, specified in the schedule appended to that notification, for the purpose of laying pipeline for the transportation of Crude Oil from Viramgam in the State of Gujarat to Panipat in the State of Haryana via Chaksu in the State of Rajasthan by the Indian Oil Corporation Limited for implementing the Augmentation of Viramgam - Chaksu, Chaksu - Panipat & Chaksu - Mathura sections of Salaya - Mathura Pipeline System Project.

And whereas, copy of the said notification was made available to the general public on 25.05.2005;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted his report to the Central Government;

And whereas, the Central Government, after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this Notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE**Taluka : Becharaji****District : Mehsana****State : Gujarat**

Name of the Village	Survey No.	Sub-Division No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
Rantej	242		0	04	11

[F. No. R-25011/18/2001-O.R.-I]
S. K. CHITKARA, Under Secy.

नई दिल्ली, 10 मार्च, 2006

का. आ. 971.—केन्द्रीय सरकार ने पेट्रोलियम और प्राकृतिक गैस मंत्रालय के का. आ. 1186 दिनांक 29.03.2005 द्वारा पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन अधिसूचना प्रकाशित कर, सलाया-मथुरा पाइपलाइन प्रणाली के विरमगाम-चाकसू, चाकसू-पानीपत एवं चाकसू-मथुरा सेक्शनों की संवर्द्धन परियोजना हेतु, अपरिष्कृत तेल का परिवहन करने के प्रयोजन के लिए, विरमगाम (गुजरात राज्य) से चाकसू (राजस्थान राज्य) होते हुए पानीपत (हरियाणा राज्य) तक पाइपलाइन बिछाने हेतु उक्त अधिसूचना में विनिर्दिष्ट तालूका वडगाम, जिला बनासकांठा गुजरात राज्य की भूमि अधिसूचित की थी।

और उक्त अधिसूचना की प्रतियाँ जनता को दिनांक 25.05.2005 तक उपलब्ध करा दी गई थी।

और उक्त अधिनियम की धारा 6 की उप-धारा (1) के अनुसरण में सक्षम प्राधिकारी, गुजरात, ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूचित में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तालुका : वडगाव

जिला : बनासकांठा

राज्य : गुजरात

गांव का नाम	सर्वे सं.	उप-खण्ड सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
तेनीवाडा	169	1 पी 1	0	06	43

[फा. सं. आर-25011/18/2004-ओ.आर.-I]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 10th March, 2006

S.O. 971.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. number 1186 dated the 29.03.2005 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in Land) Act, 1962 (50 of 1962), (herein after referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land in **Taluka : Vadgam, District : Banaskantha** in the **State of Gujarat**, specified in the schedule appended to that notification, for the purpose of laying pipeline for the transportation of Crude Oil from Viramgam in the State of Gujarat to Panipat in the State of Haryana via Chaksu in the State of Rajasthan by the Indian Oil Corporation Limited for implementing the Augmentation of Viramgam - Chaksu, Chaksu - Panipat & Chaksu - Mathura sections of Salaya - Mathura Pipeline System Project.

And whereas, copy of the said notification was made available to the general public on 25.05.2005;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted his report to the Central Government;

And whereas, the Central Government, after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this Notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE**Taluka : Vadgam****District : Banaskantha****State : Gujarat**

Name of the Village	Survey No.	Sub-Division No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
Teniwada	169	1P1	0	06	43

[F. No. R-25011/18/2001-O.R.-I]
S. K. CHITKARA, Under Secy.

नई दिल्ली, 10 मार्च, 2006

का.आ. 972.—केन्द्रीय सरकार ने पेट्रोलियम और प्राकृतिक गैस मंत्रालय के का. आ. 1187 दिनांक 29.03.2005 द्वारा पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन अधिसूचना प्रकाशित कर, सलाया-मथुरा पाइपलाइन प्रणाली के विरमगाम-चाकसू, चाकसू-पानीपत एवं चाकसू-मथुरा सेक्शनों की संवर्द्धन परियोजना हेतु, अपरिष्कृत तेल का परिवहन करने के प्रयोजन के लिए, विरमगाम (गुजरात राज्य) से चाकसू (राजस्थान राज्य) होते हुए पानीपत (हरियाणा राज्य) तक पाइपलाइन बिछाने हेतु उक्त अधिसूचना में विनिर्दिष्ट तालूका पालनपुर, जिला बनासकांठा गुजरात राज्य की भूमि अधिसूचित की थी ।

और उक्त अधिसूचना की प्रतियाँ जनता को दिनांक 25.05.2005 तक उपलब्ध करा दी गई थी ।

और उक्त अधिनियम की धारा 6 की उप-धारा (1) के अनुसरण में सक्षम प्राधिकारी, गुजरात, ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ।

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूचित में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है ।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा ।

अनुसूची

तालूका : पालनपुर

जिला : बनासकांठा

राज्य : गुजरात

गांव का नाम	सर्वे सं.	उप-खण्ड सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
पालनपुर	490		0	19	65

[फा. सं. आर-25011/18/2001-ओ.आर.-1]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 10th March, 2006

S. O. 972.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. number 1187 dated the 29.03.2005 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in Land) Act, 1962 (50 of 1962), (herein after referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land in Taluka : Palanpur, District : Banaskantha in the State of Gujarat, specified in the schedule appended to that notification, for the purpose of laying pipeline for the transportation of Crude Oil from Viramgam in the State of Gujarat to Panipat in the State of Haryana via Chaksu in the State of Rajasthan by the Indian Oil Corporation Limited for implementing the Augmentation of Viramgam - Chaksu, Chaksu - Panipat & Chaksu - Mathura sections of Salaya - Mathura Pipeline System Project.

And whereas, copy of the said notification was made available to the general public on 25.05.2005;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted his report to the Central Government;

And whereas, the Central Government, after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this Notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

Taluka : Palanpur

District : Banaskantha

State : Gujarat

Name of the Village	Survey No.	Sub-Division No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
Palanpur	490		0	19	65

[F. No. R-25011/18/2001-O.R.-I]

S. K. CHITKARA, Under Secy.

नई दिल्ली, 10 मार्च, 2006

का. आ. 973.—केन्द्रीय सरकार ने पेट्रोलियम और प्राकृतिक गैस मंत्रालय के का. आ. 1188 दिनांक 29.03.2005 द्वारा पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन अधिसूचना प्रकाशित कर, सलाया-मथुरा पाइपलाइन प्रणाली के विरमगाम-चाकसू, चाकसू-पानीपत एवं चाकसू-मथुरा सेक्शनों की संवर्द्धन परियोजना हेतु, अपरिष्कृत तेल का परिवहन करने के प्रयोजन के लिए, विरमगाम (गुजरात राज्य) से चाकसू (राजस्थान राज्य) होते हुए पानीपत (हरियाणा राज्य) तक पाइपलाइन बिछाने हेतु उक्त अधिसूचना में विनिर्दिष्ट तालूका अमीरगढ़, जिला बनासकांठा गुजरात राज्य की भूमि अधिसूचित की थी।

और उक्त अधिसूचना की प्रतियाँ जनता को दिनांक 25.05.2005 तक उपलब्ध करा दी गई थीं।

और उक्त अधिनियम की धारा 6 की उप-धारा (1) के अनुसरण में सक्षम प्राधिकारी, गुजरात, ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूचित में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तालुका : अमीरगढ

जिला : बानसकांठा

राज्य : गुजरात

गांव का नाम	सर्वे सं.	उप-खण्ड सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
इकबालगढ	21	6 पी 2	0	06	03
	21	5 पी 5	0	07	98

[फा. सं. आर-25011/18/2001-ओ.आर.-I]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 10th March, 2006

S. O. 973.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. number 1188 dated the 29.03.2005 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in Land) Act, 1962 (50 of 1962), (herein after referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land in **Taluka : Amirgadh, District : Banaskantha in the State of Gujarat**, specified in the schedule appended to that notification, for the purpose of laying pipeline for the transportation of Crude Oil from Viramgam in the State of Gujarat to Panipat in the State of Haryana via Chaksu in the State of Rajasthan by the Indian Oil Corporation Limited for implementing the Augmentation of Viramgam - Chaksu, Chaksu - Panipat & Chaksu - Mathura sections of Salaya - Mathura Pipeline System Project.

And whereas, copy of the said notification was made available to the general public on 25.05.2005;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted his report to the Central Government;

And whereas, the Central Government, after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this Notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

Taluka : Amirgadh

District : Banaskantha

State : Gujarat

Name of the Village	Survey No.	Sub-Division No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
Iqbalgadh	21	6P2	0	06	03
	21	5P5	0	07	98

[F. No. R-25011/18/2001-O.R.-I]

S. K. CHITKARA, Under Secy.

श्रम मंत्रालय

नई दिल्ली, 13 फरवरी, 2006

का. आ. 974.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, लखनऊ के पंचाट (संदर्भ संख्या 136/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-2-2006 को प्राप्त हुआ था।

[सं. एल-22012/5/2001-आई आर (सी-II)]

पी० सी० भारद्वाज, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 13th February, 2006

S.O. 974.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 136/2001) of the Central Govt. Industrial-Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the industrial dispute between the management of FCU, Ansal Bhawan, Food Corporation of India, and their workman, which was received by the Central Government on 13-2-2006.

[No. L-22012/5/2001-IR(C-II)]

P. C. BHARDWAJ, Desk Officer

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW****PRESENT:**

SHRIKANT SHUKLA, Presiding Officer

I. D. No. 136/2001

I. D. No : 22012/5/2001-IR(C-II) dtd. : 2-8-2001

BETWEEN:

The State Secretary
Bhartiya Khadya Nigam Karmchari Sangh
5/6 Habibulla Estate, Hazratganj,
Lucknow (U.P.)

AND

The Zonal Manager (North)
FCU, Ansal Bhawan
Kasturba Gandhi Marg,
New Delhi-110001

The Sr. Regional Manager
Food Corporation of India
5/6 Habibulla Estate, Hazratganj,
Lucknow

AWARD

The Government of India, Ministry of Labour, New Delhi referred the following dispute for adjudication to the Presiding Officer, CGIT-cum-Labour Court, Lucknow:

"Whether the action of the management of Food Corporation of India, Lucknow in not implementing

the promotion order dtd. 30-12-1987 in respect of Sh. Nathu Lal, AG-III is legal and justified? If not, what relief he is entitled to?"

The trade union's case in brief is that Sri Nathu Lal AG-III (Depot) was promoted by the opposite party No. 1 vide order No. 168/87 dtd. 30-12-87 from the post of AG-III(D) to AG-II (Depot). The opposite party No. 2 did not release the aforesaid promotion on the sole ground that the workman was involved in the vigilance case. It is admitted fact that the workman was served with the charge sheet No. V&S/4(1170)/RO-LKO/84/198 dtd. 5-5-86 which was ended with the order dtd. 14-7-93 imposing a penalty of reduction lowest stage in the pay scale of AG-III (Depot) trade union's case is that the said order dtd. 14-7-93 was challenged by the trade union before Central Government Industrial Tribunal-cum-Labour Court, Kanpur which was registered as case No. 7/95. By the award the Tribunal set aside the order dated 14-7-93 with all consequential benefits which include the promotion to the post of AG-II from 31-12-87 alongwith all consequential benefits. Award dtd. 21-7-97 have been implemented by the Food Corporation of India but promotion dtd. 30-12-87 was not given to the workman for promotion to the post of AG-II. The trade union has stated that the workman was entitled to the promotion w.e.f. 31-12-87 alongwith all consequential benefits. It has therefore been prayed by the trade union that the opposite party be directed to release the promotion of the workman for the Post of AG-II(D) w.e.f. 31-12-87 alongwith all consequential benefits.

The opposite party have filed the written statement by which they have denied the claim of the workman. Firstly on the ground of delay. It is admitted by the opposite party that initially promotion order dtd. 30-12-87 was passed by the appropriate authority which was conditional i.e. subject to clearance of vigilance case/disciplinary proceedings pending and its verification prior to release of such promotion order. The said promotion order was cancelled by the order dtd. 15-4-88 and 26-4-88 and the workman Sri Nathu Lal was reverted back to the original post as he was found in vigilance case. The pendency of the case before Central Government Industrial Tribunal-cum-Labour Court, Kanpur is admitted, however, the opposite party has submitted that the Tribunal has simply allowed all difference of wages on the grounds that punishment order does not exists whereas the order is silent towards quashing of punishment order or it being set aside. Thus there are all reasons to believe that except for payment of difference in wages for the punishment period the punishment order remained intact without any specific finding against it. It is further submitted that the workman despite being award of the order of the Central Government Industrial Tribunal-cum-Labour Court, Kanpur being silent on the issue of punishment had neither challenged the

same before the higher authorities nor have sought for any review of the said, this has become final against him. However, the opposite parties being aggrieved by the order had challenged the same before Hon'ble High Court at Allahabad, Lucknow Bench, Lucknow by way of writ petition No. 6990 of 1997 and the same is subjudice before the Hon'ble High Court. It is further submitted that the workman Sri Nathu Lal had although challenged the penalty order dtd. 14-7-93 before the Hon'ble Central Government Industrial Tribunal-cum-Labour Court, Kanpur had not given any specific relief to the workman in either setting aside of quashing of punishment order which still stands beside the matter being already subjudice and under challenge before the High Court. It is further submitted that opposite parties in the absence of any stay order had complied and implemented the operative portion of order passed by the Central Government Industrial Tribunal-cum-Labour Court, Kanpur dtd. 21-7-97 towards payment of difference of wages. The said compliance/implementation had been made in few spirits and bonafide intention of the opposite parties. Sri Nathu Lal can neither seek nor entitled for any such promotion to AG-II(D) on virtue of the order dtd. 30-12-87. It is further submitted that Sri Nathu Lal is not entitled to seek any such relief towards promotion and claim statement needs to be dismissed.

The workman has filed rejoinder wherein trade union has stated that promotion order was not released by the opposite party No. 2 on the sole ground of involvement of the workman in the vigilance case. Involvement of the workman was due to issue of illegal charge sheet dtd. 5-5-86. The said charge sheet was finally set aside by Central Government Industrial Tribunal-cum-Labour Court, Kanpur vide award dtd. 21-7-97 in I.D. Case No. 7/95 and the opposite party No. 1 ordered for implementation of the aforesaid award of Central Government Industrial Tribunal-cum-Labour Court, Kanpur and pay all dues in consequence of the implementation of the award but failed to clear the promotion which was withheld due to pendency of charge sheet and penalty order therefrom as such there is no delay in moving the claim before Asstt. Labour Commissioner (C), Lucknow in the year 2000. Thus there is no delay. It is also submitted by the trade union that there is no charge sheet pending on the date of promotion of workman i.e. 30-12-87 as such there was no legal and valid reason for non release of promotion. It is not denied that the opposite party did filed writ petition against the award. However, it is alleged that mere filing of writ petition against the award does not amount of stay of the award. Award is still enforceable. It does not amount to subjudice. No benefit can be stopped in such a situation. The workman is fully entitled for the relief claim:

The trade union has filed photo copies of the following documents:

1. Office order dtd. 4-4-88
2. Office order dtd. 26-8-88

3. Charge sheet dtd. 5-5-86
4. Order dated 14-7-93
5. Notification dtd. 7-5-97 Govt. of India alongwith copy of award dtd. 21-7-97 of CGIT-cum Labour Court, Kanpur.
6. Letter of workman to Sr. Regional Manager, FCI, Lucknow alongwith Order dtd. 20-10-2000.
7. Provisional Seniority list of AG III (D) as on 21-12-82.
8. Provisional Seniority list of AG-I(D) as on 31-12-2001.

Opposite party has not filed any documents evidence in support of their case.

Parties have not produced any oral evidence in the case.

Representative of the opposite party is discontinued to appearing in the court for the last 4 proceedings i.e. 6-10-05, 14-11-05, 18-12-05 and 23-1-06. Opposite party's representative have also not turned up today. Therefore it is believed that opposite party does not want to put force any argument in the case.

It is admitted fact that initial promotion order dtd. 30-12-87 was passed by the appropriate authority of the opposite party. It is also admitted fact that subsequently by order dtd. 15-4-88 and 26-4-88 the promotion order is given effect. Photo copy of both the orders on record i.e. paper No. C-23 and C-23/2. From the perusal of the above document it is evident that official Sri Nathu Lal who promoted as adhoc basis as AG-II (D) vide office order No. 168/87 dtd. 30-12-87 are reverted to the post of AG-III (D) with immediate effect as they have been reported to be involved in vigilance case by Zonal Vigilance Division.

It is also admitted fact that worker was charge sheeted vide Regional Manager letter No. V&S/4/170/RO-LKO 84-1981 dtd. 5-5-86. The charge was that Sri Nathu Lal AG III(D) while posted at Bangarmau during the year 1983 failed to maintain absolute integrity devotion to duty and also failed to serve the organisation honestly and faithfully in as much as connivance with Sri Tika Ram, AG-I(D) and Transport Contractor misappropriated 260 bags i.e. 260-79-000 Qtls of wheat stock on 4-2-83. The stocks were withdrawn from SWC Godown, but same were never despatched to FSD, Unnao though the weight check memo and other records were prepared by him with out showing the truck No. and gate pass etc. with malafide intention.

After disciplinary proceedings following punishment order was passed by disciplinary authority on 14-7-93:

"Now, therefore, the undersigned in exercise of powers conferred under Regulation, 56 of FCI (Staff) Regulations, 1971 is constrained to review the decision already taken for imposing major penalty and imposes following major penalty which will meet the end of justice.

"Reduction to the lowest stage of the time scale of pay of AG-III (D) for a period of 5 years from 14-6-88 to 13-6-93. After expiry of this period Sri Nathu Lal AG-III (D) will earn regular increment w.e.f. 1-1-94 from first stage of scale of pay of AG-III (D)"

The period of deemed suspension from 14-6-88 till issue of this order will be treated as period not spent on duty and adjusted against the leave of the kind due and he will not be entitled to any further payment over and above the subsistence allowance already been paid to him for the period of his suspension.

Sd/-

K.K. SINHA, Sr. Regional Manager

Aggrieved by the punishment order trade union espoused the cause and ultimately government referred the case for adjudication which registered as I.D. No. 7/95 between Secretary, Bhartiya Khadya Nigam Karmchhari Sangh, Lucknow Vs. Regional Manager, FCI, Lucknow, Central Government Industrial Tribunal-cum-Labour Court, Kanpur passed the award on 21-7-97 and held as under :

"In this way I am of the view that charge against the concerned workman is not proved at all. Accordingly it is held that there was no collusion between the concerned workman and Tikaram in misappropriation of 260 bags as such he has been wrongly punished."

Accordingly my award is that punishment of concerned may reduction to the lowest stage of time scale of post of AG-III(D) for a period of 5 years from 14-6-88 to 13-6-93 is not justified. Consequently, the concerned workman will be entitled for all difference of wages on the premises that such punishment order does not exist.

Sd/-

B.K. SRIVASTAVA, Presiding Officer

Opposite party has submitted in para 8 is as under :

"That in reply to the contents of para 8 of the claim statement, it is submitted that the opposite parties in the absence of any stay order had complied and implemented the operative portion of order passed by Central Government Industrial Tribunal-cum-Labour Court, Kanpur dtd. 21-7-97 towards payment of difference of wages. The said compliance/implementation had been made in few spirits and bonafide intention of the opposite party."

Trade union's case is only to the extent that the worker was deprived of his promotion only due to the above case wherein the workman was punished and award of Central Government Industrial Tribunal-cum-Labour Court, Kanpur is that the charge sheet against the workman is not proved at all and he held that the workman shall be entitled to difference of wages on the premises that such punishment order does not exist. However, it is clear that impugned order is dtd. 14-7-93.

The opposite party has submitted in written statement that Sri Nathu Lal although challenged the penalty order dt. 14-7-93 before the CGIT-cum-Labour Court, Kanpur but the tribunal had not given any specific relief to Sri Nathu Lal in either setting aside of washing of punishment order which still stands. It is also submitted in para 7 of the written statement that Central Government Industrial Tribunal-cum-Labour Court has simply allowed of difference of wages on the ground that punishment order does not exist whereas order is silent towards quashing the punishment order or it being set aside. Thus, there are all reasons to believe that except for payment of difference in wages for the punishment period the punishment order remained intact without any specific finding against it.

When the charge stands not proved as is evident from the award and when it is found in award that such punishment order does not exist meaning thereby the punishment order is set aside. The punishment order does not remain intact as the opposite party has tried to allege in written statement. The language used in the award is specifically clear. It is also admitted by the opposite party that in absence of any stay order, opposite party has complied and implemented operative portion of the order passed by the CGIT-cum-Labour Court, Kanpur dtd. 21-7-97. It is not understood as to why the worker has not been given promotion in Grade of AG-II (D) once the promotion was withheld as a result of the said vigilance case.

Opposite party has tried to allege in written statement that the promotion order was stood cancelled by order dtd. 15-4-88 and 26-4-88 but the order of opposite party has not been filed any documentary evidence in support of the said cancellation. On the other hand the trade union has filed the said documents. There is no mention of cancellation of promotion order. On careful reading of the said two letters it is found from the said orders Sri Nathu Lal was reverted to the post of AG-III (D). The representative of the trade union has argued that worker did not assume the Charge on promotion post and unless one assumes the charge on the promotion post is difficult to believe that such person can be reverted.

In the present case the order sheet dtd. 9-4-03 is relevant for the facts of the case which is reproduced as under :

9-2-2003

पुकार लगी उपस्थित श्री टी० बी० सिंह वास्ते श्रमिक। श्री जी० जी० बनर्जी वास्ते प्रबंधन पक्ष।

श्रमिक द्वारा कागज सं० A/19 दाखिल हुआ। उभय पक्षों को स्वीकार है कि श्रमिक को प्रमोशन 30-12-87 को ग्रेड ए०जी III से एजी - II डिपो में हुआ था परन्तु विभागीय कार्यवाही की रिपोर्ट लंबित होने के कारण प्रमोशन कार्यरूप में परिणित नहीं किया गया तत्पश्चात् प्रबन्धक द्वारा कर्मचारी को विभागीय कार्यवाही में पारित आदेश 14-7-93 के द्वारा उसी ग्रेड -3 के न्यूनतम स्तर पर जाने का आदेश दिया गया। उस आदेश को कामगार द्वारा सी०जी०आई० टी० कानपुर

में चुनौती दी गई। जिसकी आई०डी० संख्या -7/95, भारतीय खाद्य निगम कर्मचारी संघ बनाम भारतीय खाद्य निगम है। सी. जी. आई. टी. द्वारा 21-7-97 के आदेश द्वारा विभागीय आदेश की कार्यवाही को निरस्त कर दिया गया है। जिससे व्यथित होकर भारतीय खाद्य निगम ने भा० उच्च न्यायालय, खण्डपीठ लखनऊ में रिट दाखिल की है। जिसकी सं. 6990/97, एफ. सी. आई. बनाम नत्थूलाल आदि है। यह भी स्वीकृत तथ्य है कि उक्त याचिका का निर्णय अभी नहीं हुआ है। हालांकि याचिका में कोई स्थगन आदेश पारित किया गया। हालांकि प्रबन्धकों ने आदेश के अनुसार पूरे लाभ जो सी. जी. आई. टी. के निर्णय के परिणाम स्वरूप मिलने थे, उनके कामगार को दिए हैं, परन्तु प्रोन्नति नहीं दे रहे हैं। मूल प्रश्न मात्र यह उठाया गया कि विभागीय कार्यवाही के दण्डादेश जिसे सी. जी. आई. टी. द्वारा सैंटेसाइट किया गया और जिसकी याचिका अभी लंबित है और इसी कारण प्रोन्नति देना संभव नहीं है।

अतः जहां तक तथ्यों का प्रश्न है कि उभय पक्ष में कोई विवाद नहीं है मात्र विधिक बिन्दु का निर्णय किया जाना है कि—

“क्या भा० उच्च न्यायालय में प्रबन्धकों की याचिका के लंबित रहने के दौरान प्रोन्नति कामगार को दी जा सकती है?”

इसका भार कर्मचारी पर है। अतः निश्चित दि० 6-5-2003 वास्ते यहम दस्तावेज जो उभय पक्ष न्यायालय में प्रस्तुत करना चाहते हैं वह एक दूसरे से स्वीकार, अस्वीकार करा कर दाखिल करें।

After perusal of the written statement it comes out that since the worker has not given order of his promotion by the CGIT-cum-Labour Court, Kanpur in the previous dispute *i.e.* I.D. 7/95 then it will amount that tribunal has declined to pass the award in his favour about promotion. Now the question is whether this case for promotion was agitated in the earlier dispute if not then there could be no award in respect of the promotion. The issue before the CGIT-cum-Labour Court, Kanpur in earlier ID was as to whether the action of the employer by imposing the penalty *vide* order dtd. 14-7-93 on Sri Nathu Lal was legal or justified. If not to what relief workman was entitled. There was no reference before the tribunal in respect of implementing of promotion order dtd. 30-12-87. I have also perused the copy of claim statement filed by the representative of the trade union which is paper No. C-31. In the said statement of claim the matter of promotion was not agitated no any relief was claimed. Only the punishment order was challenged and consequential benefits or arrears of wages was claimed. No doubt the worker ought to have clubbed all reliefs which he is entitled to claim in the statement of claim. in the ordinary court of law *i.e.* Civil Court the litigant cannot claim any relief which he ought to have claimed in the previous suit on the alleged cause of action ommits it.

The learned representative of the trade union has argued that it is not a civil suit. He has also argued that unless and until he is exonerated of the punishment he could not have claimed for promotion. He has also argued that civil procedure Court is not applicable to the I.D. which are adjudicated under the I.D. Act. He has argued that

trade union espoused the separate cause when that vigilance case an end by a valid award of the CGIT-cum-Labour Court, Kanpur.

It is true that there was no question about withholding or release of promotion before the Presiding Officer of CGIT-cum-Labour Court, Kanpur when the legality of the punishment order is adjudicated upon. Once that order is deemed not in existence, the worker has come out with a case of promotion.

From the arguments of the representative of the trade union and pleadings of the parties I come to the conclusion that the case of promotion was not before the Presiding Officer in the previous I.D. case. Therefore it is irrelevant to say that the award is silent on the subject. The Central Government Industrial Tribunal-cum-Labour Court, Kanpur of its own without pleadings cannot give award in respect of promotion.

Now second question has been raised by the opposite party is that the matter is delayed and highly time barred and as such is not maintainable. It is matter of fact that the worker was punished by order dtd. 14-7-93 and the worker raised the dispute and the award was passed on 21-7-97. Thereafter the worker initiated proceeding promotion before Asstt. Labour Commissioner (C). Therefore I am of the considered opinion that there is no unreasonable delay in espousing the case of filing the claim. I do not agree with the opposite party that the statement of claim is not maintainable.

The next objection taken by the opposite party is that as the writ petition is pending before the Hon'ble High Court therefore the matter is subjudice. It is nobody's case that there is any stay order in respect of present I.D. Learned representative of the trade union has argued unless there is stay obtained by the opposite party the mere fact the writ petition is filed, will not entitle to opposite party to non comply the order of CGIT-cum-Labour Court, Kanpur. He has also argued that an one hand the opposite party implemented the award on the other hand they are denying lawful promotion of the worker. He has also drawn my attention in 11(2004) CPJ 12(SC) Supreme Court of India. Ghaziabad Development Authority *Vs.* Balbir Singh. In the para 26 of the said case law we find following narration :

“Before we part with this order, we have to mention that many parties complained to us that even the undisputed amounts had not been paid to them. This was disputed on behalf of the authorities. However, it is clear that the amounts were paid/deposited belatedly. We, therefore, clarify that unless there is a stay obtained from a higher Forum, the fact of filing of an Appeal/Revision will not entitle the authority to not comply with the order of the Forum.”

In the present case employee Sri Nathu Lal has been completely exonerated by the award of the Labour Court meaning thereby he is not found blame worthy and in the

least and the charge has been found disproved by the Central Government Industrial Tribunal-cum-Labour Court, Kanpur. In the circumstances I do not find any reason why the worker be not given the benefit of order no. 168/7 dt. 30-12-87 by which he was promoted as AG-III (D) to AG-II (D), as has been mentioned earlier the worker has not joined the post of AG-II (D). There is no question of his reversion. There is no order of cancellation also. It is therefore believed that when the opposite party found him fit for promotion he was promoted by the order dt. 30-12-87. He has to be given the benefit of the salary of the higher post alongwith other benefits from the date on which he would normally be promoted but for disciplinary proceedings. There is no delay at the instance of the employee or the clearance of disciplinary proceedings.

The learned representative of the trade union has drawn my attention on the fact that date of birth of Sri Nathu Lal worker has mentioned in document C-23 and C-23/2 is 1-1-46 meaning thereby he is likely to retire on 31-1-2006 after completion of 60 years. Worker is, therefore, entitled to promotion from the date of order.

The representative of the worker has argued that the worker be given all consequential benefits about difference in back wages from 30-12-87. In the circumstances I come to the conclusion that even after passing of the award in favour of the worker, worker shall not be able to work as AG-II (D) as award unless published can not be implemented. He has drawn my attention to 1993 SC L&S 387 Union of India and others vs. K. V. Jankiraman and others and has persuaded the court that that worker has been deprived from his promotion for none of his fault and therefore he should be given benefit of back wages so that the worker may not suffer after the retirement. I have perused the case law cited by the representative. Worker has not work a single day on the post of AG-II. In the circumstances of the case it will be difficult to award wages right from 30-12-87 till date of his retirement. However, the worker will be entitled to notional increment year to year applicable to AG-II (D) benefits together with 50% of the difference of wages on promotion post. The issue is answered in negative against the management and my award is that the worker shall be entitled to promotion on 31-12-87 onwards on the post of AG-II (D) and shall be entitled to annual increments together with difference of wages from the post of AG-III (D) to AG-II (D) @ 50%.

Lucknow
30-1-2006

SHRIKANT SHUKLA, Presiding Officer

नई दिल्ली, 13 फरवरी, 2006

का. आ. 975.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण

आसनसोल, के पंचाट (संदर्भ संख्या 80/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-2-2006 को प्राप्त हुआ था।

[सं. एल-22012/419/1998-आई आर (सी-II)]

पी. सी. भारद्वाज, डैस्क अधिकारी

New Delhi, the 13th February, 2006

S.O. 975.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 80 of 1999) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Parascole Colliery of M/s. ECL and their workman, which was received by the Central Government on 13-2-2006.

[No. L-22012/419/1998-IR(C-II)]

P. C. BHARDWAJ, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
ASANSOL

PRESENT:

Sri Md. Sarfaraz Khan, Presiding Officer

Reference No. 80 of 1999

PARTIES:

Agent, Parascole Colliery of M/s. E.C. Ltd.,

Vrs.

Asstt. General Secretary, Ukhra Colliery Mazdoor
Union, Asansol, Burdwan.

REPRESENTATIVES:

For the management : Sri P.K. Das, Advocate.

For the Union (workman) : Sri M. Mukherjee, Advocate

Industry : Coal. State : West bengal.

Dated 24-01-2006.

AWARD

In exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour vide its letter No. L-22012/419/1998-IR (CM-II) dated 07-07-1999, has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the action of the management of Parascole Colliery of M/s. ECL in fixation of wages of Sh. Harbans Koyri, Underground Loader at the time of conversion from piece rate to time rate during 1996 is legal and justified?"

After having received the order No. L-22012/419/1998-IR (CM-II) dated 07-07-99 from the Govt. of India, Ministry of Labour, New Delhi for adjudication a reference case No. 80 of 1999 was registered on 23-7-99/17-9-01 and an order to issue notices to the parties through the registered post was passed with a direction to appear in the court and file their written statements along with the documents in support of their case.

In pursuant to the notices issued through the registered post Sri P.K. Das, Advocate for the management and Sri M. Mukherjee, Advocate for the union appeared in the court and filed their respective written statement in support of their claims.

On perusal of the record it transpires that the case was fixed for filing the documents fixing 24-1-05 but nobody turned up to represent the union on the date fixed. It is further clear from the order sheets of the record that the union left taking any step on behalf of the workman concerned right from 24-1-05 to 24-1-06. The lawyer for the union also submitted that he has got no instruction from the side of the workman since then. In such prevailing facts and circumstances of the case it is not proper and advisable to keep the record pending anymore. As such it is hereby

ORDERED

that let a "No Dispute Award" be and the same is passed. Send the copies of the award to the Ministry of Labour, Govt. of India, New Delhi for information and needful. The reference is accordingly disposed of.

MD. SARFARAZ KHAN, Presiding Officer.

नई दिल्ली, 13 फरवरी, 2006

का. आ. 976.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. एम. पी. डी. आई. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचाट (संदर्भ संख्या 51/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-2-2006 को प्राप्त हुआ था।

[सं. एल-22012/560/1996-आई आर (सी-II)]

पी. सी. भारद्वाज, डैस्क अधिकारी

New Delhi, the 13th February, 2006

S.O. 976.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. (No. 51 of 1998) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure in the industrial dispute between the employers in relation to the management of C.M.P.D.I. and their workman, which was received by the Central Government on 13-2-2006.

[No. L-22012/560/1996-IR(C-II)]

P. C. BHARDWAJ, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL

PRESENT:

Sri Md. Sarfaraz Khan, Presiding Officer

Reference No. 51 of 1998.

PARTIES :

The Personnel Manager,
C.M.P.D.I., RI-1 West End,
G.T. Road, Asansol-713 301.

Vrs.

The Addl. General Secretary,
National Coal Workers Congress (NFITU),
M.G. Road, P.O. Ukhra, Burdwan.

REPRESENTATIVES:

For the management : None.

For the Union (workman) : None.

Industry : Coal. State : West bengal.

Dated 04-01-2006.

AWARD

In exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour vide its letter No. L-22012/560/96/IR(CM-II) dated 9-10-1998 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the action of the management of CMPDI, Asansol in denying regularisation of Sh. Nageshwar Mahato, Security Guard to the post of Drill Helper, Cat. II w.e.f. 1985 is justified?" If not, what relief the workman is entitled to?"

On having received the order No. L-22012/560/96-IR(CM-II) dated 9-10-1998 of the aforesaid reference from the Ministry of Labour, Govt. of India, New Delhi for adjudication a reference case No. 51 of 1998 was registered on 20-10-1998 and an order to issued notices to the parties concerned through the registered post was passed with a direction to appear in the Court and file their respective written statement in support of their case along with the document required. In compliance to the said order notices were issued and in pursuant to the same Sri P. K. Das, Advocate for the management and Sri K. Chatterjee, Addl. General Secretary of the Union Appeared and filed their written statements.

From perusal of the record it transpires that both the parties had left taking any steps on their behalf since 10-2-2005. It is further clear from the record that on

04-01-2006 the workman himself personally appeared in the Court and filed a petition serving the copy to the other side praying therein that he is not interested to proceed with the above case and a No Dispute Award may be passed. As such in the present facts, circumstances and in the light of the contention of the petition so filed by the workman himself it is not proper and advisable to keep the record pending any more. Accordingly it is hereby

ORDERED

that let a "NO DISPUTE AWARD" be and the same is passed. Send the copies of the award to the Ministry of Labour for information and needful. The reference is accordingly disposed off.

MD. SARFARAZ KHAN, Presiding Officer

नई दिल्ली, 13 फरवरी, 2006

का. आ. 977.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण आसनसोल के पंचाट (संदर्भ संख्या 27/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-02-2006 को प्राप्त हुआ था।

[सं. एल-22012/399/1999-आई आर (सी-II)]

पी. सी. भारद्वाज, डेस्क अधिकारी

New Delhi, the 13th February, 2006

S.O. 977.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 27 of 2000) of the Central Government Industrial Tribunal-cum-Labour Court. Asansol as shown in the Annexure, in the industrial dispute between the management of Madhusudanpur Colliery of M/s. ECL, and their workmen, received by the Central Government on 13-02-2006.

[No. L-22012/399/1999-IR (C-II)]

P. C. BHARDWAJ, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL

PRESENT:

Sri Md. SARFARAZ KHAN, Presiding Officer

REFERENCE NO. 27 OF 2000

PARTIES :

Agent, Madhusudanpur Colliery, Kajoragram,
Burdwan.

Vrs.

Area Secretary, INMOSSA, Kajoragram, Burdwan.

REPRESENTATIVES :

For the Management : Sri P.K. Das, Advocate

For the Union : Sri B.N. Upadhaya.

(workman) Area Secretary.

Industry: Coal : State: West Bengal.

Dated the 5th January, 2006

AWARD

In exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour vide its letter No. L-22012/399/99/IR (C-II) dated 29-02-2000 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the action of the management of Madhusudanpur Colliery of M/s. ECL in not accepting the date of birth recorded in the Mining Sirdarship certificate of Sh. Bipin Yadav, workman and not forwarding the dispute to Age Determination Committee for assessment of correct age is legal and justified? If not, to what relief the workman is entitled?"

After having received the order No. L-22012/399/IR (C-II) dated 29-2-2000 of the aforesaid reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication, a reference case No. 27 of 2000 was registered on 13-3-2000/12-10-01 and an order to issue notices through the registered post to the respective parties was passed with a direction to appear and file their written statement along with the required documents in support of their respective claims. In pursuant to the said notices issued Sri P.K. Das, Advocate for the management and Sri B.N. Upadhaya, Area Secretary of the Union representing the workman concerned appeared in the Court and both the parties filed their written statements in support of their respective claims.

On perusal of the record it transpires that on 16-11-04 the case was adjourned to 5-1-2005 for evidence at the request of the union. It is further clear from the order sheets of the record that from the very next fixed date i.e. 5-1-2005 the union left taking any step in this case on behalf of the workman concerned. The union was given several adjournments and opportunities to appear and adduce evidence on its behalf but to no effect. These all prevailing facts and circumstances go to show that the union is not at all interested to proceed with the case further. In such circumstances it is not proper and advisable to keep the record pending any more as no useful purpose is to be served. Accordingly it is hereby

ORDERED

that let a "NO DISPUTE AWARD" be and the same is passed. Send the copies of the award to the Ministry of Labour for information and needful. The reference is accordingly disposed off.

MD. SARFARAZ KHAN, Presiding Officer

नई दिल्ली, 13 फरवरी, 2006

क्र. अ. 978.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम के पूर्ववर्ती के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में लिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम, दैनिकी के पंचाट (संदर्भ संख्या 67/1994) को प्रकाशित करने के लिए केन्द्रीय सरकार को 13-2-2006 को प्राप्त हुआ था।

[सं. एल-22012/232/एफ/1993-आई आर (सी II)]

पी. सी. भारद्वाज, डेस्क अधिकारी

New Delhi, the 13th February, 2006

S.O. 978.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 67 of 1994) of the Central Government Industrial Tribunal-cum-Labour Court, Bangalore now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Food Corporation of India and their workman, which was received by the Central Government on 13-2-2006.

[No. L-22012/232/F/1993-IR (C-II)]

P. C. BHARDWAJ, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated 18th January, 2006

PRESIDENT

Shri A. R. Siddiqui, Presiding Officer

C.R. No. 67/94

I Party

Shri K.B. Nagaraj,
S/o Basappa,
C. Kanakeri,
10th Cross,
Blamathi Colony,
Davangere-577 003

II Party

The Senior Regional
Manager,
Food Corporation of India
H.O. Pallavi Complex,
No. 10, Mission Road,
Bangalore-560 027

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide order No. L-22012/232/F/93-IR(C.II) dated

7th December 1993 for adjudication on the following schedule :

SCHEDULE

"Whether the management of Food Corporation of India is justified in terminating the services of Shri K.B. Nagaraj, Part Time Sweeper from 27-7-91? If not, what relief he is entitled to?"

2. The first party in his Claim Statement has contended that he was appointed as a Sweeper w.e.f. 13-1-1987 at a salary of Rs. 100/- per month. In appreciation of the hard work, the Branch Manager of the Second Party recommended for the appointment of first party as a full time employee. Meanwhile, the first party passed SSLC and Junior typewriting. He was also doing typing work in addition to usual work. Therefore, his services were regularized w.e.f. 10-2-1988 and he was paid a salary of Rs. 300/- per month.

3. It is further contended that the first party was terminated from service w.e.f. 27-1-91 without assigning any reasons. But on his request he was reinstated w.e.f. 31-1-1991. Again he was unceremoniously terminated from 27-7-1991 that he was continuously worked from the date of his initial appointment till his termination. Therefore, without assigning any reason and without conducting an enquiry his termination amounts to retrenchment, as the mandatory provisions are not followed he is entitled for all benefits such as reinstatement, back wages, continuity of service etc.

4. The Management in their Counter Statement have denied the averments made by the first party, that he was appointed as a Sweeper w.e.f. 13-1-87 on a salary of Rs. 100/- per month. It is contended he was taken as a Part time Casual Labourer on daily rate basis as and when his service are required to work as a Sweeper as there was no sanctioned post of Sweeper at Davangere. They have further denied that he has been recommended by the Branch Manager to work as a full time employee. They have also shown their ignorance about passing of SSLC and typewriting examination by the workman and that he was doing typing work. The Management also denied the contention of the first party that his services were regularised w.e.f. 10-2-1988 and he was being paid a salary of Rs. 300 per month.

5. It is further the case of the Management that the first party has been paid Rs. 10/- as a daily wages, whenever, his service are required. The contention that he has passed SSLC cannot be believed on the ground that he was a regular employee he cannot prosecute his studies unless a special permission is obtained. They have also denied the contention of termination, as the same will not arise as the first party was working as a Part time casual employee. The

continuity of service was also denied and his entitlement to the benefits treating his termination as retrenchment is also questioned.

6. It is lastly contended that the first party was a Casual Labourer getting the work whenever it was available, therefore, he cannot seek an order of reinstatement, back wages and other benefits.

7. During the course of trial, the management examined one witness as MW1 and whereas the first party examined himself as WW1 getting one document marked at Ex. W1. After the closure of the evidence, learned counsels for the respective parties were heard and my learned predecessor by his award dated 17-9-1999 rejected the reference. Aggrieved by this award the management approached the Hon'ble High court in Writ Petition No. 12848/2000 (L-TER) and his Lordship of Hon'ble High Court while quashing the award passed by this tribunal remitted the matter back to this tribunal for reconsideration giving opportunity to both the parties to produce/adduce any evidence in support of their respective cases.

8. After the remand, the management further examined in chief MW1 and produced two documents at Ex. M1 and M2 namely the transfer order of one Smt. Hanumanthamma and general conditions of service. WW1 also was further examined in chief and in his deposition got marked 47 wage slips (payment vouchers) at Ex. W2 series.

9. The Statement of MW1 relevant for the purpose in his examination chief is that first party was working as a casual labour in their Davangere branch being engaged as a casual Sweeper on 13-1-1987. They were paying him daily wages whenever he worked and his daily wage varied from Rs. 10 to 12. He did not work continuously and his services were not regularized. Since he worked as a casual employee, question of his reinstatement does not arise and there was also no question of conducting any DE against him. In his cross examination MW1 stated that first party was the only person working as a Sweeper at Davangere branch and they were paying him wages once in a month. He stated that they used to send bills to the District Manager for the purpose of payments and after receiving the amounts from the District Office, they used to pay the same to the workman. The maximum daily wages was Rs. 12.80. When he was confronted with a Xerox copy of the application filed by the first party at Ex. W1 he admitted that said application was recommended by the then Assistant Manager to appoint the workman as a full time worker as per the endorsement at Ex. W1 (A). It was further elicited in his further cross examination that they have documents to show the total number of days the first party worked and the total remuneration paid to him during the period. He admitted that they have informed the first party not to come to work after 27-7-1991. However,

he denied the suggestion that the first party worked continuously till he was removed on 27-7-1991. In his further cross examination he admitted that whenever wages were paid to the workman they used to obtain his signature in the payment receipts which are available with the District Office located at Shimoga or Bangalore. He admitted that after the removal of the first party workman one Smt. Hanumanthamma was entrusted the said work on transfer to their office.

10. Statement of first party (WW1) in his examination chief relevant for the purpose is that he joined the management as a Sweeper on 13-1-1987 at its Davangere branch on a monthly wages of Rs. 100 and from February 1988 his services were regularized as a full time employee and his salary was raised to Rs. 300 per month. He was doing the work of cleaning the premises and also attending of other works entrusted to him and he was also doing typing work during 1989 after having passed typing examination. He gave a representation at Ex. W1 to make his job permanent and as per Ex. W1 (A) the then Assistant Manager recommended his case. He worked continuously from 13-1-97 except on General holidays and Sundays. He was being paid wages by taking his signatures on vouchers being maintained by the management. He worked continuously till 27-7-1991 and thereafter he was stopped from working. In his further examination chief he referred to the above said 47 wage slips produced by the management stating that he was paid wages under those wage slips (payment vouchers). He also said that he worked with the management for the month of November and December 1990 but those slips were not produced by the management. He stated that his services were also being taken by the management as a typist casually and the nature of work he was carrying was of a permanent one.

11. Learned counsel for the management vehemently argued that the first party has failed to produce any document to show that he was in the continuous service of the management for a period of 240 days and more immediately before his services were terminated. He contended that first party was a casual labourer working as a part time Sweeper for limited hours and therefore, there arose no question of compliance of Section 25F of the ID Act or conducting any enquiry against him before he was removed from service.

12. Whereas, learned counsel for the first party argued that from the statement of MW1 and the very documents, namely the payment vouchers produced by the management being called for by the first party and marked on his behalf at Ex. W2 series, it becomes crystal clear that the first party was in the service of the management as a part time sweeper continuously from 13-1-87 till he was removed from service on 27-7-1991. He submitted that in the light of the above said payment vouchers, it has been amply proved by the first party that he has been paid

a monthly wages of Rs. 100 at the beginning of his service and that was raised to Rs. 300 and more from 1990 onwards. He submitted that on the other hand the management has failed to produce any documents to suggest that the first party was working as a casual labourer for limited hours, that too, whenever the work was available and that he has been paid wages calculating his working days, though MW1 admitted in his cross examination that they have got the documents to show the actual working days of the first party and the payment of wages made to him from time to time. Now therefore, the only question to be gone into would be whether the first party worked as a Part time Sweeper continuously for a period of 240 days and more immediately preceding his removal from service in order to attract the provisions of Section 25B and 2(o) of the ID Act read with Section 25F of the ID Act. As argued for the first party the statement of MW 1 referred to supra would make it abundantly clear that the first party has been in the service of the management as a Casual Labourer/ part time Sweeper right from 13-1-1987 till his services came to be terminated w.e.f. 27-7-1991. Statement of the first party in his examination Chief speaking to the said fact has also remained very much unshaken during the course of his cross examination. Apart from the said oral evidence, there is documentary evidence, namely, the payment vouchers ranging between the year 1987 and 1991. The first payment voucher is dated 12-3-1987 and the last payment voucher is dated 29-7-1991 showing the payment of wages for the month of June 1991. There are the payment vouchers which were not produced before this tribunal during the course of trial taken place before the remand of the case. They have been produced by the management being called for by the first party in the light of admission of MW1 made in his cross examination stating that payments have been made under vouchers signed by the first party. As argued for the first party, in the face of the abovesaid payment vouchers, now there is absolutely no scope left for the management to make a comment that the first party has not been in the service of the management continuously during the period from 1987 to 1991 and that he has been working only for limited hours that too whenever work is available. A perusal of the vouchers would lend support to the contention of the first party that he was being paid wages on monthly basis at the rate of Rs. 100 per month initially and his wages were raised to Rs. 300 subsequently. Most of the vouchers would speak to the fact that the first party has been paid wages at the rate of Rs. 100 per month, his signature being obtained on a receipt affixed by revenue stamp. It is to be made clear at this stage itself that the contention taken by the management that first party was being paid wages whenever he worked and not on monthly basis is not at all substantiated by any evidence before this tribunal. As noted above, though MW1 admitted in his cross examination that they have got the documents to show the total number of days the first party worked and the

total remuneration paid to him during the period, no such documents were produced before this tribunal to support their contention. On the other hand as seen above, the very documents, namely the vouchers maintained by the management would make it abundantly clear that it was on monthly basis the wages were being paid to the first party and not on the basis of actual working days.

13. Now coming to the moot question whether the first party worked continuously for a period of 240 days and more immediately preceding his removal from service. The above said payment vouchers would establish the above said fact apart from the statement made by the first party and the very admissions made by MW1 in his deposition before this tribunal. It can be gathered from the payment vouchers that the first party worked during the months of July, August, September and October 1990 and also for the months of January, February, March, April, May, June and July 1991. Apart from the payment vouchers there is a statement drawn under the signature of the District Manager produced before this tribunal along with the vouchers showing the details of acquittance in respect of wages paid to the first party for the aforesaid period. It runs as under :—

Details of acquittance

July 1990	Rs. 320/-
August 1990	Rs. 268.89
September 1990	Rs. 224.40
October 1990	Rs. 307.20
January 1991	Rs. 268.80
February 1991	Rs. 294.40
March 1991	Rs. 294.40
April 1991	Rs. 256.00
May 1991	Rs. 320.00
June 1991	Rs. 294.40
July 1991	Rs. 281.60

14. First party in his statement as noted above, has also stated that he worked with the management even during the months of November and December 1990 which vouchers have not been produced by the management. Even for a moment if we ignore the abovesaid statement of first party, then, again it can be very well seen that as per the details of the payment of wages brought on record for the abovesaid period, it becomes evident that the first party was in the service of the management for four months in the year 1990 and for 7 months in the year 1991. That means he was in the service of the management from August 1990 till July 1991 for a period of 240 days and more continuously when his services were terminated in the

month of July 1991. If we take into consideration the period of 10 months at the aggregate of 30 days each, then it will work out to be 300 days and that means to say that he was in the service of the management for a period of 240 days and more immediately before he was denied work by the management. The document at Ex. W1, a Xerox copy of the application filed by the first party dated 18-7-1989 bearing the endorsement of the then Assistant Manager at Ex. W1(A) as admitted by MW1 would also disclose that the first party has been in the service of the management as a Part time Sweeper right from January 1987 as on the date he submitted the said application. Endorsement at Ex. W1(A) would make it clear that his services were found satisfactory and he was recommended for a permanent post also making a mention that his services were being utilized even as Typist, there being no typist in the office. Therefore, from the oral testimony of MW1 and WW1 coupled with the aforesaid documents at Ex. W1 & W2 series, there cannot be any hesitation in the mind of this tribunal to come to the conclusion that the order terminating the services of the first party tantamounts to illegal retrenchment, there being undisputedly no compliance of Section 25F of the ID Act before his services were terminated. The contention of the management that the first party was just a casual and daily worker and there was no need for it to fulfil the requirements of Section 25F of the ID Act before he was denied work is not tenable. Their Lordship of Supreme Court in a case reported in 1998 II LLJ 674 SC between MCD & Praveen Kumar Jain & Others have laid down the principle that even to discharge daily rated workman compliance of Section 25F of the ID Act is a must. It is also made clear that when there is a charge of misconduct against such a workman, the management must also hold an enquiry to prove the charge of misconduct before the services of such a workman can be terminated. Therefore, in the light of the above, the action of the management in not giving work to the first party is held to be illegal and void ab initio.

15. In a normal course, the resultant corollary to follow when termination order is held to be illegal will be by providing the relief of reinstatement. However, keeping in view the facts and circumstances of the case, it appears to me that it is too late in the day to order reinstatement of first party workman into the service of the management. He is out of the service of the management since the month of July 1991 that means to say that for the last 15 years he is away from the management. Moreover, he was just doing the job of part time Sweeper and his contention that his services were regularized somewhere in the year 1988 has not been substantiated. It is also in his evidence that he was also did the job of typist while working as a Sweeper under the management. Therefore, when he has got better prospects as a Typist, it will not be advisable to reinstate him in service once again as a Sweeper that too after a lapse of period of 15 years from the date he was

removed from service. Therefore, in the light of the above, the proper relief to be granted to the first party, in my opinion appears to be a payment by way of compensation. In order to arrive at a figure of compensation to be awarded to the first party, it is necessary to find out as to whether the first party has been gainfully employed or not during the period he was away from the service of the management. The management on its part did not take any pains to bring on record any evidence to suggest that the first party has been gainfully employed. The first party on whose shoulder or also burden was cast to speak to the fact as to whether gainfully employed or not, very strangely in his examination chief has never spoken to the said fact. He did not claim that he has not been gainfully employed. But as noted above, he had been working as a typist while in the service of the management in his own words. Therefore, it cannot be said that he had not been gainfully employed during the period he was not in the service of the management. In the result keeping in view the aforesaid facts and circumstances, a period of 15 years elapsed between the date of removal and the date the award is being passed and so also taking into consideration the last wages drawn by him as on June 1991 at the rate of Rs. 294.40 and so also taking into account the fact that first party raised dispute somewhere in the year 1994, it appears to me that ends of justice will be met if he is ordered to pay a sum of Rs. 75,000 as compensation towards the full and final payment. Accordingly reference is answered and following award is passed.

AWARD

The management is directed to pay a sum of Rs. 75,000 to the first party towards the full final settlement of claim against the management within a period of six months from the date of publication of this award. In case of failure of the payment in the period prescribed, the amount shall carry interest at the rate of 9 per cent per annum till its realization. No order to cost.

(Dictated to PA transcribed by her corrected and signed by me on 18th January, 2006)

A.R. SIDDIQUI, Presiding Officer

नई दिल्ली, 13 फरवरी, 2006

का. आ. 979.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नैशनल कमिशन ऑफ बैकवर्ड क्लासेस के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 2, नई दिल्ली के पंचाट (संदर्भ संख्या 5/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-2-2006 को प्राप्त हुआ था।

[सं. एल-42012/95/2001-आई आर (सी-II)]

पी. सी. भारद्वाज, डैस्क अधिकारी

New Delhi, the 13th February, 2006

S.O. 979.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 5/2002) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure, in the Industrial Dispute between the management of National Commission for Backward Classes, and their workmen, received by the Central Government on 13-02-2006.

[No. L-42012/95/2001-IR (C-II)]

P. C. BHARDWAJ, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM- LABOUR COURT-II, NEW DELHI

Presiding Officer : Shri R.N. RAI

I.D. No. 5/2002

In the matter of :

Smt. Rajni,
C/o Industrial Workers' Union,
F-328, Gali No. 22, Sadhu Nagar-11,
New Delhi-110045

Versus

The Manager,
National Commission for Backward Classes,
Trikoot-I, Bhikaji Cama Place,
New Delhi-110 066

AWARD

The Ministry of Labour by its letter No. L-42012/95/2001-IR(C-II) : Central Government Dt. 24-01-2002 has referred the following point for adjudication.

The point runs as under :—

“Whether the action of the management of the National Commission for Backward Classes, Trikoot-I, New Delhi in verbally stopping Smt. Rajni, Safai Karamchari from duty w.e.f. 01-02-2000 is legal and justified? If not, to what relief she is entitled to.”

The workman is applicant has filed claim statement. In the statement of claim it has been stated that the workman has been working on the Gross Salary of Rs. 1300 per month from 1997 till 1st February, 2000. That she has been working continuously from 1997 till her dis-engagement and was discharging 8 hrs. duty and she was not given any break.

That the workman applicant has been consistently requesting the management orally that she should be paid the minimum wages prescribed and she should be also given all the benefits which a workman of her category was given but the management did not take heed to her requests and the management got annoyed.

That on 01-02-2000 when the workman went for resuming duty at 9.00 A.M. the Section Officer MD Shri Kanta Prasad refused her to join duty so she could not resume her work on that day. When she demanded written termination of her services she was maltreated and she was expelled forcefully from that office.

That after removing the workman from the duty of Sweeper management engaged another Safai Karamchari and he has been still doing the Safai work. That she searched for work after 1st February, 2000 but she could not get any job and she has been un-employed all along. The respondents have terminated her services illegally without any written order. The oral order of the management is illegal, arbitrary and unjust.

Management has filed written statement. In written statement it has been stated that there is no sanctioned post. Safai Karamcharis are taken on part time basis to discharge 4 hrs. work.

That the workman was appointed on part time basis. The post is sanctioned by Ministry of Social Welfare. There is one post of Safai Karamchari.

That the workman was a part time worker. She performed duties for 4 hours before lunch. Her name was not sponsored from Employment Exchange. Another person was engaged in view of the order of CAT. That respondents are an autonomous body.

The workman has filed rejoinder. In her rejoinder she has reiterated the averments of her claim statement and asserted that she worked regularly and she was a full time casual labour.

Evidence of both the parties has been taken.

Heard arguments from both the sides and perused the papers on the record.

The management did not argue the case as none was present.

It was submitted from the side of the workman that she was full time Safai Wali. The burden is on the workman to prove that she was a full time worker. Section 25 F of the ID Act, 1947 is applicable for continuous nature of work. The workman has admitted in her cross examination that in the wage bill it has been mentioned against her name that

payment was made to her as a part time worker. It has been specifically mentioned by the workman that she was a part time worker. So the averments of her claim are not true. She has also admitted that she was paid Rs. 60 per day and she was paid for the days when she worked. The post is sanctioned from year to year so the post is not of regular nature. Another person has been engaged as Safai Wala at her place by order of the CAT. CAT has jurisdiction to pass that order so that order cannot be set aside by this Tribunal. The workman is a part time worker. It is true that retrenchment compensation, pay in lieu of notice has not been paid to her. The work is of regular nature but it can be discharged by a part time worker. She was engaged as a part time worker so she is not entitled to get pay in lieu of notice and retrenchment compensation. Section 25F of the ID Act, 1947 is not applicable in her case.

The reference is replied thus :—

The action of the management of the National Commission for Backward Classes, Trikoot-I, New Delhi in verbally stopping Smt. Rajni, Safai Karamchhari from duty w.e.f. 01-02-2000 is legal and justified. The workman applicant is not entitled to get any relief as prayed for.

Award is given accordingly.

Dated: 01-02-2006 R.N. RAI, Presiding Officer

नई दिल्ली, 13 फरवरी, 2006

का. आ. 980.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूनाइटेड बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, गुवाहाटी के पंचाट (संदर्भ संख्या 5/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-2-2006 को प्राप्त हुआ था।

[सं. एल-12012/115/2002-आई आर (बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 13th February, 2006

S.O. 980.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 5/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Guwahati as shown in the Annexure, in the Industrial Dispute between the management of United Bank of India, and their workmen, received by this Central Government on 13-2-2006.

[No. L-12012/115/2002-IR (B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, GUWAHATI, ASSAM.

PRESENT:

Shri H.A. Hazarika,
Presiding Officer,
CGIT-cum-Labour Court,
Guwahati.

In the matter of an Industrial Dispute between :

The Management of United Bank of India, Dibrugarh

—Vs—

Their workman, Shri Rabindra Chandra Dutta.

Ref. No. 5 of 2004.

Date of Award : 30-01-2006.

AWARD

1. The Government of India, Ministry of Labour, New Delhi vide its Notification No. L-12012/115/2002-IR(B-II) dated 26/09-2002 referred this Industrial Dispute arose between the management of United Bank of India and their Workman Sri Rabindra Chandra Dutta in exercise of Power conferred by Clause-(d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Dispute Act, 1947(14 of 1947) for adjudication on the basis of the following Schedule:—

SCHEDULE

“Whether the dismissal of Shri Rabindra Chandra Dutta by the United Bank of India is justified and correct? If not, what relief should be provided to the workman?”

2. The reference was initially received by State Industrial Tribunal and on set up of this CGIT-Cum-Labour Court, received by this CGIT-cum-Labour Court as per procedure on 9-12-04.

3. On being notified from here the Workman Sri Rabindra Chandra Dutta with his learned Advocate Mr. Sujit Kumar Ghose and the Management represented by Mr. Ranjit Sarma, Dy. Regional Manager appeared and their learned Advocate Mr. Ajoy Kumar Phukan on 12-1-05 and subsequently they filed their W.S. etc.

4. The case of the Workman from the narration of his Written Statement in brief that while he was working as Grade-IV staff at Tinsukia Branch he took a loan of Rupees

One lakh for the purpose of construction of his house building. After utilization of the amount he received a sum of Rupees Fifteen thousand was remained under his disposal. At that stage on 31-12-92 the Manager of the concerned Branch, Sri D.N. Chakrabarty accompanying with Assistant Manager, D. Dutta and Clerks R. Deb Koiri and J.N. Gogoi arrived at his house and told him to hand over unutilized loan amount and other money to retain in his account. On being asked so on good faith and with the impression that the amount is needed to deposit in his account he handed over unspent Rupees Fifteen thousand and what amount he had and he collected for construction of his house stipulating to total Rupees Thirty Five thousand. But said official not only failed to deposit the money received from him rather pressurizing him illegally obtained his signature in a paper and filled up the same as per their dictation. Then they told him to pay Rupees Fifteen Thousand more else he will be implicated in a false case and will be terminated. Under such circumstances the workman paid Rupees Fifteen thousand more as such Management realized Rupees Fifty Thousand from him. The workman lodged an FIR at Tinsukia Police Station but as forced by the Branch Manager he withdrawn the same. Then he lodged a complaint case but same is stayed as the accused person approached the Hon'ble High Court. The Management made a false allegation that the workman committed theft of Rupees Fifty Thousand on 21-6-93, a charge sheet is made against him. The workman specifically denied all the allegations before the Disciplinary Proceeding Head. The workman was not allowed to defend his case properly or to represent by anybody. Whenever he wanted to say something he was told to keep quite assuring him a chance on the following day. But without giving that chance he was handed over a termination notice on 24-10-96. He was not furnished with copy of the Proceeding and second show cause notice. Had there been proper chance and had he been not prejudice the workman would have been able to convenience the Disciplinary Authority that he is innocent.

5. Further case of the workman is that the Written Statement submitted by the Management are not correct and the claim of the Management that this reference proceeding is not maintainable has got no legal force. That he had not committed theft in respect of Rupees Fifty Thousand. That the allegations that he was misused the house building loan is false. Under this premises the workman prayed that the Management of the United Bank of India is neither justified nor correct in dismissing him and prayed to direct the Management to reinstate him with full backwages.

6. The case of the Management as reflected in their W.S. in brief is that the workman raised dispute without any basis and reasonable ground with the hope of wrongful gain. That while the workman was working as a Sub Staff in Tinsukia Branch committed gross misconduct for his

personal gain which is against the interest of Bank concern. Hence, the Charge Sheet was submitted against the workman and explanation was called. The para-1 of the Charge was amended without prejudicing the Workman. Being not satisfied with the explanation submitted by the workman, the Management appointed Sri Ranjit Kr. Dutta DRM, as Enquiry Officer. The Enquiry Officer conducted the enquiry in accordance with principle of natural justice. The Enquiry Officer recorded the evidence. The Enquiry Officer found that the Charge No. 1 is proved and Charge No.2 partially proved. On careful consideration of the enquiry report the Chief Regional Manager who is the Disciplinary Authority tentatively decided to impose punishment of dismissal without notice and communicated the decision by his letter No. RO/DBR/EST/RCD/VIG/04/96 dated 5th October, 1996. By this letter the workman was given further opportunities of being heard personally in terms of Clause-19, 12 of the Bipartite Settlement dated 19-10-66 and to appear on 23 October, 1996 at 11 A.M. at the chamber of Regional Manager at Dibrugarh. The workman was also given opportunity to submit representation against the proposed punishment but the workman neither appeared in person nor submitted any written representations. Hence, the matter was decided ex parte and the proposed punishment of dismissal without notice was confirmed by the RO/DBR/EST/RCD/VIG/04/96 dated 24th October, 1996. The dismissal was without notice with immediate effect. Leniency could not be shown to workman due to grave and gross misconduct and Management is quite justified in awarding punishment of dismissal.

7. The further case of the Management that the workman concealed the real fact. That full reasonable opportunities were given to the workman to defend his case and he has rightly dismissed. That he committed theft of Rupees Fifty Thousand i.e. a bundle of Rs.50 denomination currency note from the Trunk carrying cash to the Chest on 23-12-92 and he admitted the same in writing before the Bank Officials. Under the above facts and circumstances the Management prayed to pass an award in favour of the Management holding that the dismissal of Rabindra Chandra Dutta is quite justified and he is not entitled to reinstate with back wages.

8. Heard the argument submitted by learned Advocate Mr. S.K. Ghose and Mr. A.K. Phukan respectively for the Workman and Management. Perused the record. The following are the witnesses examined by the Management.

Sri Ranjit Kumar Dutta—MW. 1 and Sri Gouri Sankar Das—M.W.2. They are cross-examined by the Learned Advocate for the workman.

The workman Sri Rabindra Chandra Dutta appeared himself as solitary witness. he is also cross-examined by the Learned Advocate for the Management

Mr. A.K. Phukan. All the evidences are recorded by my own hand. Perused the exhibited documents.

9. MW. 1 deposed that he being appointed Enquiry Officer enquired the Disciplinary Proceeding against the workman Rabindra Chandra Dutta. The charges against the Workman were (1) theft of Rs. 50,000/- only on 23-12-92 (2) miss utilization of House Building Loan amounting to Rupees One lakh sanctioned by the Bank concerned. He deposed that he gave full opportunities to the Workman so that he may not deprive from natural justice the Management case was presented by the Presenting Officer Sri. Akul Chandra Bose. The Workman was also allowed to adduce defence witness it he likes. He was also allowed opportunity to take help of any person who defend himself as per norms. The Management examined 9 witnesses. The delinquent Workman also examined 2 defence witnesses. Some of the Management witnesses were also cross examined by the delinquent Workman himself. The defence witnesses were cross-examined by the Presenting Officer. After completion of enquiry he came to the conclusion that the charge No.1, theft is fully proved and charge No.2 that miss utilization of H.B. Loan was partly proved. He submitted the Enquiry Report to the Disciplinary Authority. On the basis of the Enquiry Report, the Disciplinary Authority also issued a letter to the delinquent Workman to represent for personal hearing about the proposed punishment but the delinquent Workman did not appear for personal hearing in relation to proposed punishment. The dismissal without notice means the proposed punishment would be effected as per the letter received by the delinquent Workman, Ext. 1 letter dated 18-8-04 issued by Asstt. General Manager. Ext. 2 Enquiry Report Series pages 2(1) to 2(59). In cross examination he deposed that he recorded cross examination of some of the witnesses. The delinquent Workman wanted to take help of one Ashim Kr. Dutta but Ashim Kumar Dutta was not allowed as he was not Bank employee. He submitted the Enquiry Report to Disciplinary Authority. Disciplinary Authority is the authority to issue second show cause Notice.

The MW.2 Sri. Gouri Sankar Das deposed that he is carrying the Ext. 3, Attendance Register wherein it is reflected that on 23-12-92 the delinquent Workman left the office at 4.30 P.M. on 24-12-92 he left at 5 P.M. 25-12-92 was holiday, on 26-12-92 he did not sign the Attendance Register. Again on 27-12-92 was holiday. From 28-12-92 to 31-12-92 he was on leave From 1-1-93 to 9-1-93 he was absent. He was under suspension from 9-1-93 Ext. 4 is the Currency Chest Book for the period 1992, from 18-12-92 to 26-12-92 Ext. 4(1) is the Currency Chest Statement at page 97 on 23-12-92, Ext. 4 (2) is the Currency statement of Rs.50/- denomination. In every beginning working day the required as well as existing balance evaluated and at the end of the day the balance amount after days transaction the residual amount remains

put back in to the Currency Chest statement. The Currency Chest is the property of the reserve Bank of India and as regards the transaction the report was prepared and transmitted to Reserve Bank of India. Any short fall in the Currency Chest would lead to immediate suspension of the Head Cashier of the Bank who is the Incharge of the Currency Chest. There was shortfall of Rupees Fifty thousand on 23-12-92 after that the Cashier found no other alternative and borrowed Rupees Fifty thousand from one of the customers Sankarlal Agarwal and made up the shortfall. As per R.B.I. norms there should not be any shortfall in the Currency Chest. The shortfall was caused by Workman Rabindra Chandra Dutta who was the Chest Peon on 23-12-92. In cross he stated that the Peon entrusted to the Currency Chest with the permission of Head Cashier, the keys were remained with the disposal of Head Cashier. He does not know if there were 70 bundles of Rs. 50 denomination in the Currency Bin on 23-12-92. The Currency Book dated 23-12-92, is correct.

Sri Rabindra Chandra Dutta, delinquent Workman is solitary witness for himself deposed that in 1992 while he was at Tinsukia Branch he took loan of Rupees one lakh for construction of his house building. On 23-12-92 for construction of his house he kept Rupees Thirty Five Thousand at his residence and he applied for leave from 28th December, 1992, to 11th January, 1993. On 23-12-92 he attended the office on the following day. On 31-12-92 the Manager of the Bank concerned Sri D. N. Chakrabarty, A.M., Sri D. Dutta, Clearks, Deb Koiri and J. N. Gogoi visited his house and they told him to come to the Bank with cash money of Rupees Thirty Five Thousand available at his house which will be deposited in his account against his loan amount. Accordingly he came to the Bank with the aforesaid amount. But relating to deposit of that amount no counter foil was handed over to him. Then the Bank Manager told him that amounting to Rupees Fifty thousand was theft from the Bank and that Rupees Thirty Five Thousand was the part of that Rupees Fifty Thousand. I was told by the Manager on 31-12-92 about the theft occurred on 23-12-92. No criminal case was lodged against him, that he committed theft of Rupees Fifty thousand. That the amount of Rupees Thirty Five Thousand was taken by the staff from him by force. Then he lodged F.I.R. at Tinsukia Police Station on 4-1-93 Ext. A is the copy of that F.I.R. as police did not take action relating to FIR, he lodged complaint case at Tinsukia being No. C/22 /93. Ext. B is the copy of that complaint case. The last date given relating to his case was on 4-1-97 Then the Bank gave a departmental charge sheet on 21-6-93. Ext. D is the original charge sheet given to him He also learnt from Ext. F that meanwhile the charge against him is amended. He did not get chance to reply amended charge. He dose not know English and applied to defend him by one Ashim Dutta from L.I.C.I. Tinsukia but Bank refused to allow him

to defend by the person he applied for. Ext. G is the copy of that application, Ext. G(1) is his signature. Ext. H is the original refusal letter issued by the Bank. The management denied the reasonable opportunity of being heard at the time of the departmental proceeding against him. At the relevant time of alleged occurrence of theft In-charge of Chest Bin was Sri Tapash Kr. Naha and Head Cashier Dijendra Kr. Dey and no action was taken against them. Ext. j is the original order of him dismissal from service but he was given no notice before dismissal. Meanwhile on 7-1-93 the Bank took rupees Fifteen Thousand from him and the total amount became Rupees Fifty Thousand. In cross-examination he deposed that he worked in cash Section to carry the cashier money for about 3 years Cash is a English worked that means money. He knows how to count money. His duty are from 10 O'clock to 5-15 P.M. On 23-12-92 he left the Bank at 4-30 P.M. without permission as permission was not required as signing on the Attendance Register at the time of departure was sufficient. He denied that he escaped without permission. He did not submit utilization certificate to the Bank as the Bank did not ask for it. He denied that he missutilized the loan money. He denied that on 23-12-92 he carried the cash money in the Bank from the Iron safe to Steel Trunk. He denied that he confessed before the Bank Manager the he committed the theft of Rupees Fifty thousand and to save him. In the confessional statement which was forcibly taken from him was included that he will return Rupees Fifteen Thousand. As forced by the staff he withdrawn the FIR he lodged at Tinsukia Police Station. The withdrawal letter was written by him as the Manager forced him and dictated. He denied that his leave application was rejected. He denied that after alleged occurrence on 23-12-92 he voluntarily absent from Bank duties. the Enquiry Officer informed him that he can take Bank employee to defend him. He denied that relating to amended charge levelled against him was intimated to him by the Bank. He denied that complaint case was falsely lodged by him. He does not remember whether after completion of hearing of enquiry the Second show cause notice was served to him or not.

10. On careful perusal of written statements, Additional Written Statement, Annexures and exhibited documents and the evidenc of both the parties available in the record. I found the claim of the workman is that false charges were levelled against him and without providing him reasonable opportunities and notice he is illegally dismissed from his service. He had not committed alleged theft of Rupees Fifty thousand and so also not miss utilized the House Building Loan of Rupees One lakh he received. The Management claimed that the delinquent workman committed theft in respect of Rupees fifty thousand from the Chest of the related Bank on 23-12-92 while he was no duty and has left office premises before time. He also missutilized the loan of Rupees one lakh sanctioned to him for construction of his house

building. I found from the Ext. D that charges levelled against him was communicated to him. Ext. F is the amended charge. These vital documents are came from the custody of the delinquent workman and he exhibited the same while deposing evidence. the Enquiry Officer appeared as MW.1 and exhibited the Enquiry Proceeding, which is consisting from Ext. 2(1) to 2(59). He is also cross-examined. On perusal the enquiry report I find the Enquiry Officer made the enquiry in details. He examined 9 witnesses from the management side and the delinquent workman examined 2 DWs namely Sri Suresh Ch. Das and DW.2 Sri Dulal Das. I find the management has examined Dijendra Kr. Dey, Head Cashier who has narrtted the incident in details. The MW1 also narrated how he filled up the shortage of Rupees Fifty Thousand in the Chest. The other 8 witnesses supported the incident of theft of Rupees Fifty Thousand. As regards taking of loan witness MW9 has deposed that there was a sanction of Rupees one Lakh and on verification by the Chief Manager it was found only approximately Rupees Thirty Thousand were utilized for the construction. DW1. deposed that Rabindra Ch. Dutta borrowed Rupees Fifteen Thousand from him on 7-1-93. DW.2 deposed that he saw Rabindra Ch. Dutta along with other staff while going in a Taxi. Next day he came to know that they went to the house of Rabindra Ch. Dutta. Now on careful scrutiny of the documents in the record I find that there is grounds for labeling charges against the delinquent workman. The reply made by the delinquent workman is of course not acceptable considering the circumstances of the incident. It is to be noted that on 23-12-92 he was on duty but he left the Bank premises before time at 4-30 P.M. and the same was admittedly not intimated to his higher officers. He categorically stated that he put the time in the Attendance and after signing left the Bank premises. Now I am looking into Ext. 2(31) which is a confessional statement, admittedly it is written by own hand of the delinquent workman. It is pertinent to note that after the confessional statement on 31-12-92 he wrote another letter on 4-1-93 that he will repay Rupees Fifteen Thousand on 7-1-93 and prayed for time. These two documents are written in his mother tongue. The circumstances shows that he wrote both the documents voluntarily because after writing the confessional statement and prayer for time there were a gap of about 4/5 days. Hence, I do not believe the version of the delinquent workman that these are obtained from him by force. I find from the record and evidenc of the delinquent workmant that he lodge a case before the Tinsukia Police Station and Ext. A is the copy of the FIR but the same is withdrawn by him as Bank official forced him to withdraw the same. Ext. 2(5) is the copy of the withdrawal letter. This was written in English. Then he lodged a complaint case but he was not aware about the fate of that case of course he is not pressing for the same. What I believe those cases are falsely field for his own benefit. The enquiry report shows that enquiry

was done giving opportunities to the workman because he got the opportunities of examining the witnesses from his end. Another question is raised that he wanted to represent him by one Ashim Kr. Dutta and the Enquiry Officer refused to allow his prayer on the ground that Ashim Kr. Dutta is not a Bank employee and the delinquent workman wrote the letter himself that Ashim Kr. Dutta is an employee of L.I.C.I. Ext. G is that letter. It is written in English. The sum and substances of that letter is that Sri. Ashim K. Dutta will be defence person in the enquiry for the workman but categorically in this letter it is written "I like to mention here that Sri Dutta will keep mum and he will also translate all the statements conversion in my mother tongue" i.e. his help was not sought to speak before Enquiry Officer. The learned Advocate Mr. S.K. Ghosh at the time of his argument stressed that the reasonable opportunities of allowing person is not allowed and as per Bipartite settlement it could have been allowed and he stressed Bipartite Settlement arrived on 19th October, 1966 under Clause 19.12 (2) which goes like this "At the request of the said union by a representative of the state federation or All India Organization to which such union is affiliated". But the letter Ext. G is not from the Union. It is personally from the workman only. So I do not like to hold in the present circumstances of the case that the workman was not given reasonable opportunities. As regards the amendment of the charge the Ext. F itself shows that there was intimation to the workman relating to the amendment of the charge because Ext. F is from the custody of the workman. There is no bar while the Enquiry Officer proceeded with the departmental proceeding to alter, modified and amended the charge but the instant case the amended charge was intimated to the workman and as such, there is no prejudice to the workman.

11. After completion of the departmental enquiry there was a Notice to the delinquent workman to show cause on 23-10-96 at 11 A.M as per the document submitted by the management about the proposed punishment as per the Bipartite Settlement dated 19-10-66 under Clause 19.12. But being absent of the delinquent workman the final order of his dismissal was passed by the Disciplinary Authority. I find the second show cause is valid as per the Bipartite Settlement. I believe the second show cause notice was served to the delinquent workman and he remained absent for which the dismissal order was passed. There is no mistake on the part of the Disciplinary Authority in taking such a drastic decision. Among all the documents, I find the confessional statements and prayer for time is very important and vital. These are written by own hand of the workman and he admitted his guilt. I have perused the written argument submitted by the learned Advocates of both the sides. The learned Advocate for the management submitted 2 case laws (1) 2003 4 SCC 557, Canara Bank

and Others Vs. Debasis Das and others and (2) (2005) 2 SCC 237 MMRDA Officers Association Kedarnath Rao Ghorpade Vs. Mumbai Metropolitan Regional Development Authority.

On perusal of case laws submitted by the learned counsel for the management it appears that in his written argument case No. 2005 2 SCC 237 the name of the parties are wrongly inserted which ought to have been Divisional Manager, Plantation Division, Andaman & Nicobar Islands Vs. Munnu Barrick and others. In this case the Hon'ble Apex Court held in one of the paras which goes like this:

"C Labour law-domestic enquiry-Workmen not entitled to protection under Art. 311-Constitution of India, Art. 311-Applicability"

The learned Advocate for the management at the time of argument submitted that as per Ext. 4 on 23-12-92 there was no shortage in the Chest as per record. But I find there is evidence that as per Reserve Bank of India's Rules the Chest is to be filled on day to day basis. Hence, the Cashier borrowed Rupees Fifty thousand from one Sankarlal Agarwal. The amount of Rupees Fifty thousand was returned to Sankarlal Agarwal which was recovered from the workman. Ext. 2(29) is the receipt to Sankarlal Agarwal. I find to maintain the Rules of the Reserve Bank of India this is done by the Cashier.

12. Considering the incident and the whole enquiry proceeding. I find the workman is not prejudice in forwarding his defence case. He has given full opportunity of being heard. I find he committed the alleged theft and aslo not admittedly submitted the utilization certificate relating to H.B. Loan. On verification of the higher authority also found that he has not utilized the amount sanctioned for H.B. Loan. I find in both the count the workman failed and the management has proved guilty against him. There is a question as regards the punishment. It is a matter of Bank. The person working in the Bank must have high integrity and extreme sincerity they should be honest. Hence, punishment of his removal is not unjustified. It is proper punishment, I do not like to interfere the punishment imposed. Under the facts and circumstances I find the management has not committed any injustice to the workman and the order of his dismissal is justified and accordingly award is passed in favour of the management. The management justified in dismissing the workman Rabindra Chandra Dutta from his service.

13. Send this award immediately to the Government concerned.

H.A. HAZARIKA, Presiding Officer.

नई दिल्ली, 15 फरवरी, 2006

का. आ. 981.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण लखनऊ के पंचाट (संदर्भ संख्या 55/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-2006 को प्राप्त हुआ था।

[सं. एल-40012/225/2003-आई आर (डी यू)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 15th February, 2006

S.O. 981.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 55/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom. and their workman, which was received by the Central Government on 15-2-2006.

[No. L-40012/225/2003-IR (DU)]

B.M. DAVID, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT LUCKNOW

PRESENT

SHRIKANT SHUKLA, Presiding Officer

I.D. No. 55/2004

Reference No. L-40012/225/2003-IR (DU) Dt. 7-6-2004

BETWEEN

Sri Hari Nath Gautam,
S/o Sri Tiju Prasad,
Vill & PO Vishwanathpur,
Distt. Sant Kabir Nagar (UP)

AND

The Chief General Manager (Maint.),
NTR, BSNL, Akritik Tower-19B,
4th Floor, Vidhan Sabha Marg,
Lucknow

The Divisional Engineer,
(Microwave Maintenance),
BSNL, Goel Building,
2nd Floor, Dharamshala Bazar,
Gorakhpur

AWARD

The Government of India, Ministry of Labour referred the following dispute for adjudication to Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court, Lucknow.

“Whether the action of the Management of BSNL (Microwave Maint) Northern Telecom. Region, Lucknow in terminating the services of Sh. Hari Nath Gautam w.e.f. 1-10-98 is legal and justified? If not, to what relief the workman is entitled?”

Worker's case in brief is that he was engaged as sweeper during 1-7-87 to 30-9-98 under opposite party at Microwave Repeater Station Vishwanathpur Basti Distt. Sant Kabir Nagar and he received salary but on 1-10-98 he was terminated without written orders. It is alleged that the written continued to approach opposite parties, but the opposite only assured the workman, but did not act, worker has alleged that he was neither given notice, notice pay or compensation. Worker has submitted that Ramchandra and Ram Narayan Yadava were also employer under opposite party who continue to work, but the worker has not been reinstated. The opposite party has with mala fide intention terminated the services of the worker which is example of unfair labour practice. Thus the opposite party has violated the provision of Section 25 F of the I.D. Act, 1947. Worker has also submitted that whatever delay is caused is only due to mala fide conduct of the opposite party and the same is liable to be excused. Accordingly the worker has prayed for reinstatement with all back wages and consequential benefit.

Opposite party has denied the claim and has alleged that the worker was never appointed as Sweeper under Divisional Engineer, Microwave Maintenance, Gorakhpur and as such no question of termination arose. It is submitted that Microwave Repeater Station Vishwanathpur Distt. Basti (present Sant Kabir Nagar) was shut down on 30-9-98. Whatever employees of department of S.A. Gorakhpur were engaged at Vishwanathpur were there were recalled at SSP and the security of the Vishwanathpur has been entrusted to security Agency. By the order of 28-9-2001 entire station was handover to SDO Phones (Khalilabad) under TDM, Basti. It is also submitted that during 1-7-87 to 30-9-98 occasionally, Hari Nath Gautam was engaged for cleaning for short time on oral agreement. It is denied that the worker ever approached for employment and he was assured. The facts alleged by the worker is also baseless and incorrect.

Sri Hari Nath Gautam has already got for the reward for the work he rendered and he is not entitled to any relief. Opposite parties are not authorised to provide employment orally. It is also alleged that the period which he alleged, was the period when the said station was under the department of Govt. of India. Claim alleged to be time barred and is not maintainable.

Workman is alleged to have been engaged for sweeping the floor at the rate of Rs. 280/- per month upto Jan. 1998 and thereafter it was reduced Rs. 500 a.m. on contractual basis.

Worker has examined himself on the other hand opposite party has examined SDE, Microwave Maintenance and Sri Jagdish Prasad.

Worker has not filed any documentary evidence.

Statement of Sri Hari Nath Gautam which is relevant to facts of the case and which has come in cross examination is as under :

“मोहल्ले में दूसरों के यहां भी सफाई करता था। 100-150 घरों में झाड़ू लगाता था। पहले महीने 240, फिर 280 फिर 500 रुपये मिलता था। बाकी जो बाहर काम करता हूँ 100-150 घरों में उसमें हरेक से 50 रुपये लेता हूँ वहां BSNL का काम नहीं होता। अब वह बस्ती डिवीजन में चला गया है।”

The above fact goes to prove that the worker Sri Hari Nath Gautam was by profession a sweeper, who used sweep in the Mohalla where he was engaged in 100-150 houses. Thus he used earn. Thus average earning from his Vritti was about Rs. 6250 per month, besides whatever he received for sweeping, the premises in question. Generally from the above circumstances it is not the case where Sri Hari Nath Gautam was engaged for full time, because he has to sweep other houses as well.

In the absence of any written order of appointment or termination order, it can be safely inferred that his job was contractual. In case the reward which he was getting in lieu of sweeping was less, he could have let sweeping of his own.

On the other hand management witness Sri Jagdish Prasad has stated on oath :

“हरि नाथ गौतम को सफाई के लिये आवश्यकता पड़ने पर बुलाया जाता था तथा आधे से एक घंटा सफाई का काम करता था। उसे सफाई कार्य के लिये तयशुदा राशि रु. 280 प्रतिमाह तथा जनवरी 1999 से 500 रुपये प्रति माह दिया जाने लगा किन्तु कार्य एक घंटे से ज्यादा नहीं लिया जाता था।”

विश्वानाथपुर रिपीटर स्टेशन 30-9-98 से बन्द हो गया। इसके उपरान्त हरि नाथ गौतम द्वारा कोई भी प्रार्थना पत्र अन्यत्र सफाई का कार्य करने के लिये नहीं दिया गया, सूक्ष्म तरंग अनुरक्षण के अन्य रिपीटर स्टेशनों पर भी सफाई का कार्य स्थानीय लोगों से अल्प समय आबद्ध करके कार्य लिया जाता था किन्तु अब सभी रिपीटर स्टेशन बन्द हो चुके हैं।

BSNL के कार्य में सफाई का कार्य ठेके पर देकर ठेकेदार के माध्यम से कराया जाता है तथा हरि नाथ गौतम को पुनः सफाई कार्य पर नहीं लगाया जा सकता। विश्वानाथपुर में हरिनाथ गौतम रिपीटर स्टेशन पर कार्य करने के अतिरिक्त अन्य 100-150 घरों में सफाई का कार्य करता था और भी करता चला आया है। सन् 2000 से BSNL बनने के बाद किसी भी श्रमिक को दैनिक भुगतान के आधार पर मजदूरी हेतु नहीं रखा जा रहा है।”

Thus the fact which emerged from the evidence are :

1. That Sri Hari Nath Gautam used to sweep the premises from 1-7-87 to 30-9-98.

2. The installation for the sweeping of which Sri Hari Nath Gautam was called, stands shut down.
3. That Sri Hari Nath Gautam used to sweep in 100-150 houses on Rs. 50 per month, whereas he was get more return.
4. The nature & evidence shows that sweeping work was not full time job in the installation.
5. This is not a case of employer and employee but a contracted sum was paid to the worker.
6. Worker could not be believed that he after closer of the unit represented for sweeping job elsewhere as it could have put him at substantiate loss, thus there is undue delay in espousing the cause & raising the dispute.

It has to be kept in mind that if the need of the industry is satisfied by the utilising local sweeper who can sweep the floor in 1/2 hours to 1 hours on negotiated sum, there is absolutely no need to tax the industry. Reason is simple are, i.e. what is utility of the sweeper for remaining 7 hours in the industry. It therefore, can not be held that there existed the employer and employee relation between the parties.

BSNL had no liberty to deploy the services of Sri Hari Nath Gautam, when the work ceased to exist. It is not proved that Sri Hari Nath Gautam was appointed by opposite party as workman and as such there is no question of termination. It is in the same way one occupies a house in a particular locality and engages a local escavanger for safai on negotiated sum and when he leaves the house or shop and the contract ends. Sri Hari Nath Gautam was not earning for his livelihood from one establishment, but was engaged by others also. In the circumstances the question of termination does not arise. Issue is answered accordingly. The worker is not entitled to any relief. Award passed accordingly against the worker.

Lucknow

6-2-2006

SHRIKANT SHUKLA, Presiding Officer

नई दिल्ली, 15 फरवरी, 2006

का. आ. 982.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी.पी.डब्ल्यू.डी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, नई दिल्ली के पंचाट (संदर्भ संख्या 161/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-2006 को प्राप्त हुआ था।

[सं. एल-42011/43/97-आई आर (डी यू)]

बी. एम. डैविड, अवर सचिव

New Delhi, the 15th February, 2006

S.O. 982.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 161/98) of the Central Govt. Industrial Tribunal-cum-Labour Court, No. I, New Delhi as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of C.P.W.D. and their workman, which was received by the Central Government on 15-2-2006.

[No. 42011/43/97-IR (DU)]

B.M. DAVID, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT NO. 1, NEW DELHI

Presiding Officer : Shri S.S. Bal

I.D. NO. 161/98

In the matter of dispute between :

1. Shri Daya Chand S/o Sh. Jetha Chand
2. Shri Vikram Singh S/o Sh. Zila Singh
3. Shri Bandu S/o Sh. Ajit Singh
4. Shri Harbans S/o Shri Jagdish
5. Shri Ashok Singh S/o Sh. Bhagwat Singh
6. Shri Fakir Chand S/o Sh. Chajju Ram
7. Shri Vikram S/o Sh. Jeet Singh

All members of C.P.W.D. Karamchari Union (Regd.)

Plot No. 1, Aram Bagh, near Udasin Mandir, Pahar Ganj, Delhi and represented through Mr. Hukam Chand, President of the said Union. Workmen.

Versus

1. The Superintendent Engineer C.P.W.D.
(Electrical Coordination)
I.P. Bhavan, New Delhi.
2. Director General, C.P.W.D.
Nirman Bhavan, New Delhi.
3. Executive Engineer P.W.D.
Division-V, Raja Garden,
Home Guard Building,
Delhi. Management

APPEARANCES : None for the Workman.
Sh. R. Thomas, U.D.C. for the
Management.

AWARD

The Central Government in the Ministry of Labour
vide its Order No. L-42011/43/97-IR(DU) dated 4-06-98

has referred the following industrial dispute to this Tribunal for adjudication :

“Whether the action of the Management of C.P.W.D. not regularising the services of S/Shri Daya Chand, Beldar, 20-12-81, Vikram Singh, Beldar, 28-12-85, Vikram, Beldar 8-1-86, Bandu, Beldar, 8-1-86, Harbans, Beldar 15-1-86, Ashok Singh, Beldar 12-2-86 and Fakir Chand, Mason, 7-1-86 is legal and justified ? If not, what relief the concerned workmen are entitled to and from what date?”

2. Workmen filed claim-statement claiming regularisation since dates of their respective induction and to pass necessary orders for paying them the arrears in salary since that date and in respect of the seniority as well. Written statement was also filed on behalf of the management denying the claim of the workmen and praying for dismissal of the claim.

3. Written statement was followed by rejoinder wherein the facts mentioned in the written statement were denied and contents of the claim-statement were reiterated to be correct.

4. Case was fixed for evidence of workman. Perusal of the record shows that Shri Ravinder Sharma, Advocate A/R for workmen last appeared on 7-5-2002 and has not been appearing for the last so many hearings. Hence workmen was proceeded ex parte vide my order dated 17-8-2004. Thus no evidence has been filed in support of the claim of regularisation of workman. However, it is admitted that Daya Chand, Beldar is working since 10-12-85, Vikram Singh is working since 28-12-85, Bandu Beldar is working since 8-1-86, Harbans Beldar is working since 15-1-86, Ashok Singh Beldar is working since 22-1-86, Vikram Beldar is working since 8-1-86 and Fakir Chand Mason is working since 7-1-86 respectively and they have been working as such but there is no material on the record to show that they have become entitled to be regularised as Beldar and Mason against their posting as claimed. Therefore, it is difficult to sustain the claim of the workmen. However, the workmen have been working for a pretty long time since 1986 onward and it would be appropriate if the respondent examine their claim of regularisation sympathetically and pass appropriate order for regularisation if there exist post/permanent/regular vacancies. Award is passed accordingly. File be consigned to record room.

Dated : 06-02-2006

S. S. BAL, Presiding Officer

नई दिल्ली, 15 फरवरी, 2006

का. आ. 983.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ

संख्या सीजीआईटी/एलसी/आर/15/91 को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-2006 को प्राप्त हुआ था।

[सं. एल-40012/59/90-आई आर (डी यू)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 15th February, 2006

S.O. 983.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT/LC/R/15/91) of the Central Govt. Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom and their workman, which was received by the Central Government on 15-2-2006.

[No. L-40012/59/90-IR (DU)]

B. M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT JABALPUR

NO. CGIT/LC/R/15/91

Shri C.M. Singh, Presiding Officer

Shri Trilochan Prasad Pandey,
Branch Secretary,
Akhil Bhartiya Telecommunication Karamchari Sangh,
Line Staff & Class-IV,
C.T.O. Compound,
Jabalpur

....Workman/Union

Versus

The Sub Divisional Officer,
Telephones-II, Gorakhpur,
Jabalpur.

....Management

AWARD

Passed on this 19th day of January, 2006

1. The Government of India, Ministry of Labour vide its Notification No. L-40012/59/90-I.R. (D.U.) dated 31-1-91/4-2-91 has referred the following dispute for adjudication by this Tribunal :—

“Whether the action of the Distt. Engineer, Telecommunication Jabalpur (M.P.) in terminating the services of Shri Mustafa, S/o Sh. Sakoor Mohammad w.e.f. 6-3-89 is justified? If not, to what relief the concerned workman is entitled to?”

2. After this reference order was received, it was duly registered on 13-2-91 and notices were issued to the parties to file their respective statements of claim. The parties filed their statements of claim. Thereafter on several dates fixed in the reference, the management failed to appear. No one appeared on those dates on behalf of the

management. Therefore the case proceeded *ex parte* against the management. But the workman failed to adduce *ex parte* evidence and ultimately on the last 2 dates fixed in the reference i. e. 13-10-05 and 18-1-06, the parties absented themselves and no one appeared for them. Under the circumstances, this tribunal was left with no alternative but to close the reference for award and therefore on 18-1-06, the reference was closed for award.

3. There is no evidence on record either for proving the case of the workman or for proving the case of the management as the parties failed to adduce evidence in support of their respective claims. It appears that the parties do not want to prosecute this reference.

4. It is evident from the above that the parties have no interest in the reference and therefore no dispute award is passed without any order as to costs.

5. Copy of the award be sent to the Government of India, Ministry of Labour as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 16 फरवरी, 2006

का. आ. 984.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन एयर लाइंस लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय मुम्बई-I के पंचाट (संदर्भ संख्या 55/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-2006 को प्राप्त हुआ था।

[सं. एल-11012/8/98-आई आर (सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 16th February, 2006

S.O. 984.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 55/98) of the Central Govt. Industrial Tribunal-cum-Labour Court, Mumbai-I now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Indian Airlines Ltd. and their workman, which was received by the Central Government on 15-2-2006.

[No. L-11012/8/98-IR (C-I)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 MUMBAI

PRESENT:

Justice Ghanshyam Dass, Presiding Officer

Reference No. CGIT 55 of 1998

PARTIES:

Employers in relation to the management of M/s. Indian Airlines

AND

Their Workman

APPEARANCES :

For the Management : Mr. S. M. Dixit, Advocate
Mrs. Chhaya Gupta, Advocate
Mrs. Madhavi Dass, Advocate

For the workman : Shri J. P. Singh, Secretary,
Indian Airlines Karamchari
Sangh.

State : Maharashtra

AWARD

Mumbai. dated the 2nd day of February, 2006

1. This is reference made by the Central Government in exercise of its powers under clause (d) of sub section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (the Act for short). Vide Government of India, Ministry of Labour, New Delhi, order No. No. L-11012/8/98-IR (C-I) dated 07-12-1998. The terms of reference given in the Schedule are as follows :

“क्या इण्डियन एअरलाइंस के प्रबंधन द्वारा सर्वश्री सुनील बी. आदोकर, सुनील एम. रोहाकार, शिवाजी के. जाधव तथा मधुकर एम. गायकवाड़ लोडरों को नियमित न किया जाना न्यायोचित है। यदि नहीं तो कर्मकार किस तिथि से किस राहत के पात्र हैं ? ”

2. The dispute is with respect to 4 workmen viz. S/Shri. Sunil B. Adarkar, Sunil G. Rohekar, Madhukar M. Gaikwad, Shivaji Kondiba Jadhav who have raised the Industrial dispute through Mumbai Mazdoor Sangh. The workmen are referred by the word “Sangh”. They were casual labourers with the Indian Airlines Ltd. (hereinafter referred to as the Company). They were working as Labourers (daily rated workmen in different departments) on rotation basis for years together. The company is a Government undertaking. It has been employing the workers on daily rated basis for years together on rotation basis to deprive them the claim for regularization. The Sangh raised the demand in this respect vide letter dated 17-6-1991. The Company did not consider them for permanency and instead started making recruitment from outside. In fact, there had been a demand for regularization of 119 workers for which the Industrial dispute CGIT-2/27 of 1992 was raised. The said reference was decided by the Tribunal on 30-6-1995 and the order for regularization was made therein along with certain directions. The dispute of the four workers under reference was put up before the concerned Labour Officer but the talks failed. The failure report was submitted but the Central Government took some time for making reference. It is how this reference was made on 07-12-1998.

3. The reference is contested by the Company on a number of grounds which have been continuously taken up by it in a number of cases contested/pending in different Tribunals/High Courts. The only relevant contention for

the present reference which is being put forth by the Company is that the Company had considered the matter of all the four workmen and it found that Shri Sunil Adarkar and Shri M. M. Gaikwad were not considered to the eligible since they were not being engaged for the last three years. i. e. from 01-1-1993. Mr. Sunil Rohekar was found suitable and was kept on the panel but sufficient vacancies did not arise during the validity of the panel and hence Mr. Rohekar was not appointed to the permanent post. The last workman Mr. S. K. Jadhav did not appear for interview held in the year 1992 and hence he was not declared fit for appointment.

4. This reference was earlier decided by this Tribunal vide Award dated 25-8-2003. The claim of all the workmen under reference was rejected in view of the Award dated 30-6-1995 under reference No. CGIT-2/27 of 1992 since they were not the parties thereto. This Award was challenged before the High Court of Bombay in W. P. No. 7507 of 2003 which was allowed by the Honourable High Court of Mumbai vide order dated 31-3-2004 and the matter has been remanded to this Tribunal for fresh decision.

5. The following issues have been framed by the predecessor in office on 19-3-2002.

- (I) Whether the case of all the workmen is covered by the interim order datedpassed by the High Court of Bombay in W.P. No. 1306 of 1996 dated 27th July 1996. If so what is the effect?
- (II) Whether the workmen were employed in the jobs which are of perennial nature?
- (III) Whether the Indian Airlines committed unfair labour practice by employing the workmen for ninety days and then by giving artificial breaks?
- (IV) Whether the aforesaid company committed unfair labour practice by employing other workmen permanently instead of the workmen involved in this case?
- (V) Whether the workmen have right to claim permanent absorption by way regularizing them services?
- (VI) Whether the workmen mentioned in the order of reference made by the Central Government are entitled to any relief by way of an award passed by this Tribunal?

6. Regarding the Issue Nos. 2, 3 and 4 I have to say that the controversy appeared to have been already set at rest by means of decision of Ref. No. CGIT-2/27 of 1992 and also the judgment of the Honourable High Court of Bombay, Madras and Supreme Court in a number of cases filed by the casual workmen against the Indian Airlines. Hence, it is concluded that the workmen were employed in the jobs which were of permanent nature with the Indian Airlines. The Company committed unfair labour practice by employing the workmen for 90 days and then by

giving artificial break and that the Company committed unfair labour practice by employing other workmen permanently instead of workmen involved in reference.

7. Regarding Issue No. 1, I have to say that there appears to be no dispute about the fact that the workmen under reference are fully governed by the Interim Order and also the final order passed by the Honourable Bombay High Court in Writ Petition No. 346 of 1996, 374 of 1996, 1303 of 1996, 1563 of 1996 and Interim Order was passed on 3-6-1996 and Final order has been passed on 16-10-2001. It is immaterial as to whether the workmen under reference were not party to the aforesaid Writ Petitions but the analogy has to be followed and it has to be kept in mind as to whether the workmen were in employment within the period of three years w.e.f. 1-1-1993.

8. The Interim Order dated 3-6-1996 reads as under :

1. Indian Airlines Ltd. shall form a pool of all casual employees who fulfill the eligibility criteria and have been engaged in the last 3 years i.e. from 1-1-1993. No casual employees who is in the panel shall be replaced by any other casual employee who is not in the pool. Casual employment will be given to those placed in the pool on rotation basis, subject to availability of work.
2. Indian Airlines Ltd. shall endeavor to replace the casual employees by permanent employees. The casual employees who are in the pool shall be considered for permanent employment on a fair basis, under the Recruitment and Promotion Rules of the Indian Airlines.
3. No casual employee shall claim permanency on the basis of having worked pursuant to the present order.
4. Indian Airlines Ltd. shall not be bound to offer work to all the casual employees on all the days.
5. Indian Airlines Ltd. shall not be bound to offer any employment to any employee who is irregular in his attendance, fails, I accept work when offered or is unsuitable for regular employment.

9. Thereafter, further following order in the aforesaid writ petition was passed by the Honourable High Court on 31-7-1998:

"The 1st Respondent shall complete the implementation of the order dated 3rd June 1996 within a period of one year from today. No vacancies of concerned categories, arising henceforth, shall be filled otherwise than from

the pool of casual employees formed and, that too, shall be done strictly in accordance with strict seniority, seniority being reckoned from the first date of employment.

Since grievance is made that things are not above board in selecting the employees for permanency, at every stage the 1st Respondent shall display a notice giving full particulars of the casual employees who are being made permanent so that other employees would be in the know as to how it is being done.

Notice of Motion made absolute in the foregoing terms. No order as to costs.

Liberty to the 1st Respondent to move the Court and satisfy it with facts and figures as to why they could not comply with the order within the time limit given."

10. The Final Order was passed by the Honourable Bombay High Court on 16-10-2001 which reads as follows :

"Respondent No. 1 shall frame scheme for regularization of the workers listed in the Petition broadly in terms of the scheme marked "X" for identified purposes. However, Respondent No. 1 before framing the scheme finally shall assess the requirement of regular work force in its different Departments in Western Region particularly the Departments in which the workers listed in the present Writ Petition have been engaged and also the necessity for alleviation of the suffering of those workers have been subjected to during all these years and fix the strength of work force so that the workers concerned are able to get the benefit of regular service within reasonable time. We observe that final scheme shall be framed by Respondent No. 1 within six months from today. Needless to say that the absorption subject to fulfillment of conditions of eligible qualification with relaxation of the age prescribed under the Rules. We further observe that till the scheme is framed, the interim order passed by this Court on 3rd June 1996 shall continue to remain operative."

11. The Honourable High Court of Madras while deciding a number of writ appeals Nos. 808, 861, 895, 916, 951, 955, 1435, 1450 and 1988 of 2000 and writ petitions No. 4103 to 4105, 4207 to 4209, 5170, 5171 of 2000 preferred by the daily rated casual employees against the Indian Airlines, quoted down the scheme for regularization as laid down by the Honourable Supreme Court in the case of Indian Airlines Ltd. Vs. Samarash Bhowmick (1999) 6 SCC 101—and upheld the scheme for regularization passed

by the learned single Judge in the aforesaid writ petitions with a direction that for the purpose of consideration workers who have put in a minimum of 90 days service in a year from 1991 would be eligible. In the case of Indian Airlines Ltd. V/s. Shamresh Bhowmick and others (1999) 6 Supreme Court cases 101 the Honourable Supreme Court had approved the scheme of regularization for daily rated casual employees working as helpers in Commercial Engineering Stores, Ground support, Categories Canteens and Peons.

12. The Honourable High Court of Madras while deciding so many writ petition on 20-4-2000 filed by the casual employees against the Indian Airlines Ltd. relied upon the judgement of Bombay High Court in W.P. No. 374 of 1996, directed the Management of Indian Airlines to file a scheme for regularization. Such a scheme was filed by the General Manager of Indian Airlines and the same was accepted by the Honourable High Court and the writ petitions were accordingly dismissed. This judgment of Honourable High Court of Madras was challenged before the Honourable Supreme Court by filing a Special leave to Appeal (Civil) 1877 of 1998 and the Honourable Supreme Court was pleased to dismiss the Special Leave Petition.

13. The CGIT-II, Mumbai while deciding Ref. No. CGIT-II/27 of 1992 in between Indian Airlines Ltd. Mumbai Vs. Their workmen on 306/1995 passed the following award :

1. The Management is directed to prepare a list of workers shown in Annexure II & III (Ex. '16') on the basis of the first appointment excluding the persons already appointed.
2. The Management is to consider the suitability of these persons for appointment on regular basis leaving aside the criteria of age.
3. The Management is directed to absorb all these persons (as per para 2 above) within a year from today as per the seniority list. (as per para one above).
4. So far as the claims of other workers who are not in the Schedule II & III deem to be rejected.
5. The Indian Airlines Mumbai is fined to pay Rs. 1,000 for practicing unfair labour practice under Section 25(u) of the Industrial Disputes Act, 1947.

14. The learned counsel for the Company placed before me 1994 SC 1638 Madhyamik Shiksha Parishad, UP Vs. Anil Kumar Misra 1995 Supp. (4) SCC 69—Union of India Vs. Pradeep Kumar and (1997) 3 Supreme Court Cases 633 State of Haryana Vs Surinder Kumar and Ors. These three rulings to my mind are not available to the help of the Company since they related to *Ad-hoc* appointments in other departments of Government.

It may be pointed out that CGIT-28/2000 in which Indian Airlines and their workmen has been decided by me to day whereby the order has been passed, after considering all the orders of the Honourable High Courts

of Bombay and Madras and also the Honourable Supreme Court that the casual workers may be considered for regularization and absorbed on regular side against permanent vacancy.

16. The controversy in the instant reference is a limited one as mentioned earlier. The two workers namely Sri Sunil Adarkar and Shri MM Gaikwad have not been found eligible under the illegibility criteria. I do not find any wrong with it nor anything in particular has been pointed out in this regard by the Sangh. The decisions of the Honourable Bombay High Court are to be kept in mind where by cut off date has been given as 1-1-1993. No doubt these two workmen were not the parties to those reference but that does not make any difference. I conclude that these workers have been rightly not found to be eligible being not governed by the eligibility criteria. The third worker Mr. S. K. Jadhav did not appear for interview and hence he has been rightly discarded. Nothing has been shown on record before this Tribunal that this assertion of the Company is not correct. Mr. Jadhav did not appear before this Tribunal to state on oath that the assertion of the Company regarding the absence is not correct. The assertion made by the Sangh cannot be accepted since the best person was Mr. Jadhav who failed to appear in the present reference before this Tribunal. Hence he has been rightly not considered for regularization.

The last work man is Mr. Sunil G. Rohekar was found to be suitable but he was not regularised under the pretext that the validity of the panel being one year expired. I feel that this is not the true spirit of the law. It is surprising that the workman though kept on panel but not given the job under the pretext that no vacancy arose. I am not satisfied with the explanation furnished by the Company in this respect. There appears to be no real intention on the part of the Management of the Company for regularizing this workman against permanent post. Had it been true sufficient evidence with datas should have been filed by the Company to show its *bonafide* and truth behind the plea. Hence I conclude that he is entitled to be absorbed against permanent vacancy.

CONCLUSION

18. In view of the aforesaid discussion I conclude on Issue No. 5 and 6 that S/Shri Sunil Adarkar, Shri MM Gaikwad and Mr. S. K. Jadhav are not entitled for any relief and Mr. Sunil Rohekar is entitled to be regularised against permanent vacancy.

19. In view of the above the reference is answered in the manner that the action of the Company for not regularizing Sunil Adarkar, Shri M M Gaikward and Shri S. K. Jadhav is held to be justified but not justified for Shri Sunil Rohekar. The Company is directed to regularise Shri Sunil Rohekar immediately against the permanent vacancy.

The reference is answered accordingly.

Justice GHANSHYAM DASS, Presiding Officer

नई दिल्ली, 15 फरवरी, 2006

का. आ. 985.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिंडिकेट बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/अथवा न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 172/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-02-2006 को प्राप्त हुआ था।

[सं. एल-12011/151/2002-आई आर (बी. II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 15th February, 2006

S.O. 985.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 172/2002) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the industrial dispute between the management of Syndicate Bank and their workman, received by the Central Government on 14-02-2006.

[No. L-12011/151/2002-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL- CUM-LABOUR COURT, LUCKNOW

PRESENT:

SHRIKANT SHUKLA, Presiding Officer

I.D. No. 172/2002

Ref. No. L- 12011/151/02-IR(B-II) dttd : 10-12-2002

BETWEEN:

The State Treasure,
Syndicate Bank Employees Union
U. P. State Committee
211 Vinay Palace, Ashok Marg,
Lucknow (U.P.) 226001

AND

Dy. General Manager,
Syndicate Bank
Regl. Office Branch,
Hazratganj, Naval Kishore Road,
Lucknow (U. P.) 226001

AWARD

The Government of India, Ministry of Labour New Delhi referred the following dispute for adjudication to the Presiding Officer, CGIT-cum-Labour Court, Lucknow:

"Whether the action of the management of Syndicate Bank, Lucknow in dismissing of Shri Arvind Kumar P. T. S. vide oral order dated 27-3-2002 is legal and justified? if not what relief the concerned workman is entitled?"

Trade Union's case in brief is that Sri Arvind Kumar was engaged as part time safai karmchhari at DRM extension

counter of Syndicate Bank at the remuneration of Rs. 10 per day on 21-7-2000 & continuously worked as such till 26-3-2002. When the worker represented for prescribed salary vide his letter dt. 21-3-2002 his services were terminated orally with out any notice pay or compensation, in violation of Section 25F. Trade Union has therefore prayed that termination may be held as illegal and unjustified and worker may be reinstated back in the service with full back wages at the prescribed rate. Opposite party Bank has disputed the claim. It is alleged that the worker Sri Arvind Kumar was not appointed as Part Time Safai Karmchhari. hence the question of dismissal does not arise. It is submitted that Shri Rustam Sonkar the regular Part time safai Karmchhari of the bank and he was attached with the extension counter DRM office since 21-7-2000 till 6-3-2001. Thereafter another regular Part Time Safai Karmchhari Sri Afsar Hussain was posted. Arvind Kumar was not served with any appointment letter to fill up any vacancy at the said extension counter. So far as the Sri Arvind Kumar's job is concerned, it was in nature of contract. He was paid only the actually fixed sum as colliery charges which was debited to General Charges Head of the Bank. devoting the expenses of Misc. & Sundry nature (as distinct from salary and allowances which is debited to establishment charges account. No Branch Manager is empowered to appoint any person in the workman cadre. Only Zonal Head i. e. Dy. General Manager/Asstt. General Manager is authorised/empowered to appoint persons in the workman category. that too after following the stipulated rules as regards employment of personnel. Sri Arvind Kumar was purely engaged on casual/adhoc basis. He was free to leave job and at the same time, the Bank can get the casual work done by paying colliery charges from others. No assurance was given to him at any point of time for regular appointment and he was also aware that he is working on daily wage basis as casual labour according to the needs of Branch. Payment of retrenchment compensation will also not arise as any person who claims benefit of Section 25F must be validly appointed in the service of employer. The retrenchment is relevant only when the appointment is regular. Disputant was engaged as casual labour at the said extension counter & he was paid charges at the rate of Rs. 10 per day as agreed upon him taking into consideration. The quantum of work and the time involved to do the work.

The union has filed following photo copies of documents;

1. Copy of letter of EC: DRM Office, Lucknow addressed to the Branch Manager, Hazratganj Branch regarding sweeping of Branch by Sri Arvind Kumar dt. 8-3-01.
2. Letter of Sr. Branch Manager addressed to Chief Manager dt. 8-3-2001 regarding payment of sweeping charges.
3. Letter of Asstt. G. M. of the bank addressed to Sr. Branch Manager regarding payment of sweeping charges dt. 22-3-01.

4. Letter of Branch Secretary, Syndicate Bank Employees Union dtd. 5-2-2002.
5. Application of Arvind Kumar dtd. 21-3-2002 addressed to Sr. Branch Manager, Syndicate Bank.
6. Application of the worker addressed to O/c Branch Manager dtd. 27-3-2002.
7. Letter of Sudhir Kumar Branch representative to the Officer Incharge Syndicate Bank 27-2-02.
8. Letter of Officer Incharge EC DRM Office to Hazratganj Branch dtd. 9-10-2000.
9. Letter of Authorised signatory dt. 23-10-2001.
10. Letter of Syndicate Bank U.P. Shakha addressed to Sr. Manager Dtd. 7-11-01.

Opposite party has filed details of payment made to Sri Arvind Kumar paper No. C-24 to C-24/6.

Trade union has examined the worker Arvind Kumar whereas Bank has examined Sr. Manager Sri Dilip Kumar Arora.

Parties has filed written argument and have heard the representatives of the parties.

Representative of the Bank has admitted the fact that worker did work for more than 240 days prior to his disengagement in 12 calendar months.

Worker has been paid for 12 calendar months according to the paper No. C-24 to 24/6 as under ;

March 2002	—	19 days
Feb. 2002	—	22 days
Jan. 2002	—	22 days
Dec. 2001	—	23 days
Nov. 2001	—	23 days
Oct. 2001	—	24 days
Sept. 2001	—	25 days
Aug. 2001	—	26 days
July 2001	—	26 days
June 2001	—	25 days
May 2001	—	26 days
April 2001	—	17 days

Total 278 days

From the above calculation the working days are 278 days immediately proceeding his disengagement in 12 calendar months.

It is admitted fact that no order of appointment was issued to the worker & no termination order as well. It is also not proved that an officer authorised to appoint a worker has appointed Sri Arvind Kumar. It is also admitted fact that the worker was daily rated wage earner & the remuneration of Rs. 10 per day. Worker has admitted this fact that after disengagement from the Bank he is engaged at the Chat shop of his Uncle.

From the documents of the bank it is evident that the worker was engaged for sweeping. It is also proved that the worker was paid from General Charges & not the service head. The square ft. area of the Extension Counter is only 550 Sq. Ft.

It is admitted fact that Rustam Sonkar & Afsar Hussain were regular part time Safai Karmchhari in succession in the Branch office.

It could be easily understood that when the branch office & its extension counter operate their work, then both need the sweeping before banks start transacting the business of the day. In the circumstances it is absolutely impossible to get the sweeping done by the regular part time Safai Karmchhari of the regular branch & extension counter since the extension counter has a very little space it required a petty job of sweeping and for this petty job it appears that the job was taken from Sri Arvind Kumar on nominal remuneration.

Sr. Branch Manager Sri Dilip Arora has stated in his examination;

“अरविन्द कुमार का नाम मैंने सुना है, इन्हें पार्ट टाइम स्वीपर के रूप में कभी नियुक्त नहीं किया था क्योंकि वहाँ पहले से ही सफाई कर्मचारी नियुक्त था।

अरविन्द से कभी-2 कैजुअल मजदूर के रूप में आवश्यकता पड़ने पर कार्य लिया जाता था। थोड़ी देर के लिए सफाई का कार्य लिया जाता था। नियमित रूप से न नियुक्ति की गई न ही कार्य लिया गया।

बैंक में नियमित वर्क-मैनो की नियुक्ति हेतु निर्धारित प्रक्रिया है जिसको पूर्ण किये बिना किसी की नियुक्ति नहीं की जा सकती है। शाखा प्रबन्धक को किसी प्रकार की नियुक्ति करने का अधिकार नहीं है।”

The representative of the worker has argued that Sri Arvind Kumar has worked in a clear vacancy of Part Time Safai Karmchhari at the DRM Extension Counter. Extension Counter is merely an extension counter of the branch of the bank. It is not proved that worker was appointed as rules of recruitment by the appointing authority. It is not established that there is regular vacancy of part time Safai Karmchhari at the extension counter. Instead it informed that the extension counter has a very small space and the branch has managed to meet the requirement by availing the services of part Time Safai Karmchhari of the branch and in the exigencies the incharge of the extension counter engaged a casual labour.

The representative of the bank has argued that a daily wage has no right to post as such claim is not sustainable. He has relied on judgement of Hon'ble Supreme Court passed in SLP (C) No. 7957 of 1996 between Himasnhu Kumar Vidyarthi & Others and State of Bihar and Others.

The said case is not concerning industry the said case pertains to appointment by the Principal in Cooperative Training Institute. The said case was not the subject matter of Central Govt. Industrial Tribunal-cum-Labour

Court, instead a writ was filed in the High Court. Hon'ble Supreme court observed "Every Department of the Govt. can not be treated to be industry when the appointments are regulated by the statutory rules, the concept of "Industry" to that extent stands excluded." In the present case the bank is an Industry.

Another case law placed is 1994 lab IC 1197 (Supreme Court) (From Allahabad Madhyamik Shiksha Parishad, U.P. Vs. Anil Kumar & Others. firstly the said case also did not belong to Industry, but the case pertained to persons working under Education Board and secondly the issue referred for adjudication is not for regularisation.

Representative of the Bank has relied on 1990 (60) FLR 672 (ALLAHABAD HIGH COURT) The Manager State Bank of Indore, Kanpur and Presiding Officer, Industrial Tribunal (Central) Kanpur & Others. The said case is for the workers who were appointed for only 75 days, in the present case worker has worked for more than 240 days before his disengagement in 12 calendar months. There is no appointment letter for a limited period & no contract also. Representative of the Bank has also placed 1999(8) FLR 319 (Allahabad High Court) between the State of U.P. & Labour Court, Haldwani. In the said case the impugned award made worker as permanent employee. In the said case the dispute related to the Irrigation Deptt. which was the department of state. The facts in that was different and in the present case in hand is Banking Industry. The last case law placed before the court is 1994 AIR SC 1638 (From Allahabad) Madhyamik Shiksha Parishad Vs Anil Kumar Mishra. The said case was about the worker working temporarily under State Govt. Rules against unsanctioned post. Thus none of the case laws placed by the Bank representative is applicable to the facts of this case. On the other hand the Industrial Dispute Act (C) 1947 place down as under:

25F : Conditions precedent to retrenchment of workmen: No employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until—

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice,
- (b) the workman has been paid, at the time of retrenchment compensation which shall be equivalent to fifteen days average pay (for every completed year of continuous service) of any part thereof in excess of six months, and
- (c) notice in the prescribed manner is served on the appropriate Govt. (for such authority as may be specified by the appropriate Government by notification in the Official Gazette).

It is well settled law if the services of an employee is terminated in violation of section 25F of the I.D. Act. The order is rendered *void-ab-initio* and the employee would

be entitled to placed on the same status from which he was disengaged.

The conclusion is that Sri Arvind Kumar was casual labour discharging the work of sweeping the Extension Counter besides petty miscallaneous job for short spell every days at the labour charges of Rs. 10 per day. Worker used to be paid at frequent intervals and before his disengagement he had work for more than 240 days immediately proceeding 12 calendar months. It was not a regular appointment against the appointment order of appointing authority. Appointment was not made in accordance with the rules prescribed in that behalf. Facts remains that Sri Arvind Kumar worked as a worker and the bank, it is irrelevant as to from what head was used in disbursing the amount to the worker.

The completion of 240 days work does not, under the law import the right to regularisation. It merely imposes certain obligation on the employer at the time of termination of service. This is also settled law that daily and casual worker can not be allowed to gain back door entry in the banks in violation of recruitment rules.

In the present case the bank management was required to give notice, notice pay and compensation to the worker according to the provisions of I.D. Act. 1947 and the same has not been observed. Therefore the disengagement/termination is unjust and illegal.

Worker was employed for sweeping of a very small carpet area which is mentioned in the judgement and was also doing petty jobs at the meagre amount of Rs. 10 per day. He was not a full time worker. He could have earned the same amount from alternative work and is actually engaged on that business in Lucknow, therefore, he is not entitled to full back wages. It will be adequate to award Sri Arvind Kumar an amount equal to 25% of average pay from the date of his disengagement.

My award is that the issue is answered in favour of the trade union. The management's termination/ disengagement of the service of Sri Arvind Kumar without observing the provision of I.D. Act. (C) 1947 therefore, the action of the management is illegal and unjust. Worker is reinstated in the service from the date he was terminated/ disengaged alongwith 25% of average of pay.

LUCKNOW SHRIKANT SHUKALA, Presiding Officer
6-2-2006

नई दिल्ली, 16 फरवरी, 2006

का. आ. 986.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नेशनल इन्श्योरेंस कम्पनी लि. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-II, नई दिल्ली के पंचाट (संदर्भ संख्या 50/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-02-2006 को प्राप्त हुआ था।

[सं. एल-17011/23/99-आई आर (बी.-I)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 16th February, 2006

S.O. 986.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 50/2000) of the Central Government Industrial Tribunal-cum-Labour Court-II, New Delhi now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of National Insurance Company Ltd. and their workman, which was received by the Central Government on 15-02-2006.

[No. L-17011/23/99-IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER:
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-II,
NEW DELHI**

R. N. RAY, Presiding Officer

I. D. No. 50/2000

IN THE MATTER OF:—

The General Secretary,
Rashtriya Mazdoor Sang,
Plot No. 17-B, Rishi Nagar,
Amar Colony, Nangloi,
New Delhi-110 041

Versus

The Manager and Promoting Authority,
National Insurance Company Limited,
Delhi Regional Office I & II,
Jeevan Bharti, Tower-II, Level-IV,
124, Connaught Circus,
New Delhi-110 001.

AWARD

The Ministry of Labour by its letter No. L-17011/23/99/IR (B-II) Central Government Dtd. 25-05-2000 has referred the following point for adjudication.

The point runs as hereunder :—

“Whether the management of National Insurance Company Limited followed the Promotion Rules Scrupulously while considering the case of Shri T. K. Gulati, Assistant for promotion to the post of Sr. Assistant? If not, what relief the workman is entitled?”

The workman applicant has filed claim statement. In the statement of claim it has been stated that the workman had been employed with the management since 12-11-1979 and his work performance and conduct had been satisfactory and he had not been communicated any adverse entries.

That the management issued a circular dated 10-09-1998 calling upon the candidate for the promotion to the rank of Senior Assistant, in terms of its promotion policy.

That the workman had also applied for the promotion under the policy and as per the said circular as he was fully

eligible and entitled to be promoted to the cadre of Sr. Assistant.

That on the basis of the seniority and the qualifications of the applicants/candidates, the management drew up a final list in which the name of the workman appeared at Sl. No. 6 and a total marks awarded to him were 48, for the purpose of the promotion.

That for the reasons best known to the management the persons way below the workman in the final list, were promoted in supersession of the workman and accordingly Mr. Geeta Laxmi and Mr. Niti Srivastava and a few others were given promotion whereas the promotion was denied to the workman in an illegal and arbitrary manner.

That the workman had been victimized due to his being and active union member, and on the earlier occasion, he was sought to be victimized and framed in false disciplinary cases, in 1995, but finding it difficult to prove the misconduct, in a fair inquiry, the management abandoned the matter.

That the officers of the management were also vindictive and biased against the workman due to the fact that he had lodged a complaint to the Assistant General Manager on 09-05-1995, pointing out the misdeeds of these officers.

That by way of discrimination and in order to harass the workman, the workman was also transferred frequently within the department, against which he had made representations and on his protest, he was retransferred to another location i.e. at Divisional Office No. 1, Janpat, but there also the attitude of the senior officers is quite biased and discriminatory towards the workman.

That as per the promotion policy of the management, the promotion is based upon the seniority cum merit basis. That the DPC which was constituted for the purpose of promotion to the Cadre of Senior Assistants did not function in an independent and impartial manner.

That the DPC did not consider the name of the workman on merits but for motivated and extraneous reasons recommended the promotions of the Junior Staff Members in violation of the promotion policy and in order to harass and victimize the workman.

That the recommendations/proceedings of the DPC were tainted with malafides in that the persona bias and grudges of the senior officers played a dominant role in the denial of the promotion to the workman.

That the juniors who had been recommended for promotion/promoted were possessing no better merit or seniority than the workman. That one Shri K. K. Bansal came to be given promotion, even though his name did not figure in the promotion list circulated by the notice dated 10-09-1998 and more so when there was evidently no vacancy in the cadre of Senior Assistants.

That the non-promotion of the workman is due to prejudiced, biased and malafide attitude of the management against the workman. That the workman is fully eligible and entitled to be promoted to the cadre of Senior Assistant.

The respondents have filed written statement. In the written statement it has been stated that before setting out reply on merits and raising preliminary objections, the respondents would like to submit some relevant facts which are as under :—

Shri T. K. Gulati (hereinafter referred to as the workman) is an employee of National Insurance Company Limited. He is posted in Divisional Office No. 1 of the said Company. The said Divisional Office falls within the administrative jurisdiction of and is subordinate to Delhi Regional Office No. 1 of the Company.

That the Company employs several categories of employees and for purposes of the present matter the cadre of Assistant and the cadre of Senior Assistant are relevant. The post of Senior Assistant is higher to the post of Assistant. That the post of Senior Assistant is filled up by promoting Assistants. Being an employee of the Company the workman is governed by the Company's Rules and Regulations including its Promotion Rules.

That some vacancies in the cadre of Senior Assistant has arisen which were notified by Delhi Regional Office (DRO) vide its Notice dated 15th June, 1998, the number of vacancies was increased upon which another notice dated 31st July, 1998 was issued.

Under the notices, referred to above, the employees were informed that eligible employees may apply for promotion in response to the above notices.....

The workman had made an application seeking promotion in the cadre of Senior Assistant. That based on the said applications, a list of eligible candidates was prepared and submitted to the Departmental Promotion Committee (DPC) constituted for considering their candidature to the post of Senior Assistant. The DPC was constituted by high ranking officials of the Respondent Company, being an officer not below the rank of Deputy Manager to act as Chairman and two other officers not below the rank of Assistant Manager.

Further as per the rules at least one member of the Promotion Committee was from the Personnel Department and the other member was an officer from the SC/ST community. That DPC considered all the eligible candidates including the workman and keeping in view the number of vacancies, the committee recommended 21 names from the general category. The committee also recommended 5 persons belonging to the General Category in the contingency list. The committee also recommended Scheduled Caste as well as Scheduled Tribe candidates and also had drawn up a contingency list for each said category of employees. The statement of claim does not show that the workman had any right for promotion. He could only claim to be considered for promotion. As he was considered for promotion therefore, no violation of any of his rights took place.

The workman belonged to the General Category. The persons who had been selected by DPC were announced, vide Company's letter dated 10th September, 1998 the

workman's name was not included in the said list. The employees were further informed that the aggrieved employees may represent within one month against his/her non-selection to the concerned Regional Office. The workman however, did not submit any representation for review and thereby he thus accepted decision of DPC and the authority. The workman thus is debarred from raising any dispute now.

That as a workman was not promoted, Rashtriya Mazdoor Sangh (Regd.) vide its letter dated 12th January, 1999 wrote to the Manager and Promoting Authority of the Company requesting it to consider the case of the workman. No malafides/arbitrariness were attributed for promotion of employees and/or for non-promotion of the workman. Thereafter the workman moved the Conciliation Officer and upon the conciliation proceedings having ended in failure, the Government made the present reference to this Hon'ble Tribunal.

That the reference as made is not maintainable and is liable to be quashed, *inter alia* as :

That as per the term of reference the dispute relates to non-promotion of Shri T. K. Gulati by the management of National Insurance Company Limited. The dispute is an individual dispute. It was never converted into an industrial dispute as defined under Section 2(k) of the Industrial Disputes Act, 1947 (hereinafter referred to as the ID Act) as the dispute was never espoused by the Union of the workman of the Company's establishment and/or the workman of the establishment of the Respondent Company and/or the workmen of the establishment where Shri T. K. Gulati was posted. The Government therefore, had no jurisdiction to make a reference.

That there is no averment that the dispute was espoused by Rashtriya Mazdoor Sangh (hereinafter called the Sangh). The Sangh is not the union of the workman of the respondent company and/or of the establishment. It is a general trade union. It is not even a trade union of the workman of insurance industry. The Sangh had neither espoused nor had any jurisdiction to espouse the case of Shri T. K. Gulati. Assuming, though not admitting, that Sangh had espoused the case of Shri T. K. Gulati even then the espousal could not convert the said individual dispute into an industrial dispute for the reasons mentioned above.

The dispute as referred is not an industrial dispute, therefore, this Learned Tribunal has no jurisdiction to entertain the reference and/or adjudicate the same.

That this Learned Tribunal is not a Court in strict sense and has got only a referred jurisdiction, therefore, this Learned Tribunal is required to see that the Promotion Rules of the company were followed while effecting promotions. The workman has not alleged any breach of the Promotion Rules of the Company. Under the circumstances the reference may be returned and the claim may be rejected.

That promotion is a management's function. The workman had no right to be promoted. His only right was

to be considered for promotion. The workman had admitted that he was considered for promotion. This Learned Tribunal has no jurisdiction to interfere unless non-promotion is due to malafides. It is an admitted case that the promotion was in pursuance of and in accordance with the recommendations of Departmental Promotion Committee (DPC). The workman has not attributed any malafides to members of DPC. Under the circumstances the claim is liable to be rejected and the reference is to be returned.

As mentioned above the Company vide its letter dated 10th September, 1998 had announced the names of the candidates who had been recommended for promotion by DPC. The employees who were not selected were further informed that in case they had any grievance they may represent against their non-selection within one month. Shri T. K. Gulati, the workman however, did not make any representations which were duly considered. The said act of the workman thus shows that he had accepted the recommendations which were duly considered. The said act of the workman thus shows that he had accepted the recommendations of DPC. He is therefore, debarred from questioning the recommendations of DPC and/or promotion of the candidates which was in accordance with the recommendations of DPC. Under the circumstances the claim is liable to be rejected and the reference may be returned.

The workman applicant has filed rejoinder. In his rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard arguments from both the sides and perused the papers on the record.

It was submitted from the side of the workman that the workman was placed on seniority No. 6 and Mrs. Geeta Laxmi was placed on seniority No. 7 and Mrs. Niti Srivastava was placed on seniority No. 9. The Respondent have promoted Mrs. Geeta Laxmi and Mrs. Niti Srivastava being placed on seniority Nos. 7 and 9 and they have superseded the workman applicant Mr. T. K. Gulati whose name appears on seniority No. 6. The promotion list filed on the record is admitted by both the parties. So this is the final list and in this final list the name of the workman applicant Shri T. K. Gulati is on seniority No. 6 but the candidates placed on seniority Nos. 7 and 9 have been given promotion and the workman has been superseded. This Act of the management is a malafide act. Paper No. 9 is the list of promotion to the Cadre Sr. Assistant and this promotion list has been prepared from the list mentioned earlier and it becomes quite obvious by the perusal of this list that 5 candidates of seniority Nos. 4, 3, 2, 7, 9 & 1 have been promoted but Shri T. K. Gulati the applicant being on seniority No. 6 has not been promoted. There is no question of dropping this workman. There is no remark against his

name in the seniority list. He is B. Com. and respondents have failed to establish any misconduct against the workman applicant. Even if there is subsequent misconduct the seniority list displayed as promotion exercise of 1998 cannot be subverted. There must be some reasons for superseding the workman. If no reason is assigned and the workman is superseded malafides are inevitably inferred.

It was further submitted that the workman has not filed any review for considering his case. No review is required in case his name figures in the seniority list and he is to be promoted as per the list prepared by the competent committee. On 15-09-1998 the applicant brought it to the notice of the respondents that he has been superseded and his supercession amounts to invidious discrimination in violation of Article 14 & 16 of the Constitution of India. It has been further mentioned in the letter that he has made a complaint to the Asstt. General Manager but the higher management has not taken any notice of the fact.

It has been further mentioned in the letter that he was issued show cause notice but no action was taken against him. Subsequently as the notice was based on alleged disobedience of Divisional Manager's order and it has been mentioned that he has been wrongly deprived of his promotion. Rs. 500 was wrongly deducted from his salary and it was not paid to him. If there was any grievance with the respondents it was hypothetical and imaginary. The respondents have admitted the receipt of this letter but they have not replied the same. It is apparent from Paper No. 10, Annexure-C of the respondents that Shri L. P. Bisht whose name figures on seniority No. 10 has also been promoted. So it becomes quite obvious from perusal of the promotion orders that candidates appearing at seniority No. 7, 9 & 10 have been promoted but promotion has been refused to this workman figuring on seniority No. 6 so the respondents have acted in breach and violation of seniority list prepared by the DPC on the criteria laid down by the respondents.

It appears from the seniority list that Shri K.K. Bansal was awarded 50 marks by the DPC and Shri T.K. Gulati was awarded 48 marks. The name of Shri K.K. Bansal was also left out. This is an instance of malafide practice. However, he was promoted subsequently when he made representation. Mrs. Geeta Laxmi has secured 46 marks and Mrs. Niti Srivastava secured 46 marks. The DPC has taken interview of all the candidates and marks on the basis of seniority, educational qualification and satisfactory service has been given to the candidates. There cannot be a review process to undermine this seniority list. Their presentation of juniors should not be entertained for the mere purposes of awarding them more marks. Even if the committee reviews the cases of the employees such review should not tantamount to superseding the candidate placed on higher seniority. If such review is permissible the management can entertain application from the list of the lowest candidate and award him the maximum marks and make the basis of promotion. Policy of interview is not bereft of malafides as has been done in this case. The

workman applicant being placed on seniority no. 6 cannot be superseded in any circumstances and the employees who figure on seniority no. 7, 9 and 10 cannot be given promotion on the basis of review. The process of review in the circumstances will give unfettered discretion and anyone of the seniority list favourite to the respondents could be promoted. Promotion on the basis of review can only be given after exhausting the seniority list so prepared. Review has been entertained to perpetrate the malafide action of the respondents. The workman applicant deserves to be promoted along with the junior figuring on Sl. No. 7 and 9, Mrs. Geeta Laxmi and Mrs. Niti Srivastava.

It was submitted from the side of the respondents that there is no proper espousal of the case. There is no proof that the fellow workmen espoused the individual cause. In the instant case espousal is from Rashtriya Mazdoor Sanghtan. This Mazdoor Sanghtan is not a recognized union of the respondents. My attention was drawn to 1961 Vol. II LLJ Page 436, 1992 (1) LLJ Page 634 at Page 365. The Hon'ble Apex Court no doubt has held that individual disputes cannot become industrial disputes in the absence of proper espousal. It has been further held by the Hon'ble Apex Court that in the absence of espousal the reference of the dispute will not assume the character of industrial dispute within the meaning of Section 2 K of the ID Act. The law laid down by the Apex Court is not applicable in the facts and circumstances of the present case as section 2 (A) has been inserted by Act No. 35 of 1965 for S-3 w.e.f. 01-12-1965. The ratio decision of the Hon'ble Apex Court relates back to 1965. Sections 2k, 2S and 10 of the ID Act, 1947 has been referred to in the judgment cited above. By that time a new section 2 (A) has not been inserted by the legislature in the ID Act, 1947. The plea of espousal is invariably taken in every case by the respondents. There is no need of espousal in individual case in view of section 2 (a) which reads as hereunder :—

“Dismissal etc. of an individual workman to be deemed to be industrial dispute.” In view of the insertion of section 2 (A) an individual dispute shall be deemed to be an industrial dispute. No espousing for individual dispute is required. The plea of espousal should not have been taken by the respondents in view of newly inserted section 2 (A) in the ID Act, 1947. In the facts and circumstances the law cited by the respondents is not genuine in view of insertion of section 2 (A) and in view of the facts and circumstances of the instant case. The law cited by the respondents on this plea of espousal is not applicable in the instant case. The Union is a recognized one.

It was further submitted from the side of the management that promotion is a managerial function and Industrial Tribunal can interfere where a workman has been superseded on account of malafides and victimization. My attention was drawn to 1996 (91) LLJ 402 SC, 1963 (1) LLJ 258 SC, 1973 (2) FLR Page 396. I have gone through the entire law and it has been held that in case the management promotes a particular workman ignoring the seniority of

another rival claimant on account of that his work was not satisfactory the Industrial Tribunal should not interfere with such promotion. It has nowhere been pointed out that the work of the workman was not satisfactory. It was the duty of the respondents to point out dis-satisfactory discharge of duties of the workman. Nothing has been shown of established on this count.

The case of the workman is that discrimination has been made with him and he has been victimized on malafide grounds for trade union activities or unfair labour practice. Promotion is no doubt is the function of the management and not fitment but in case the management is embarking upon making vicious discrimination on the ground of trade union activities such malafides cannot be continuanced by industrial adjudicator. Interference by this court is not unjustified. The industrial adjudicator cannot sanction encroachment on the rights of an individual workman. It has been held previously that the management has followed a policy of discrimination and the management has not promoted despite his name figuring on seniority no. 6 in the promotion list prepared by the DPC. The workman was found qualified for promotion when interview was taken by the DPC and his name was on Sl. no. 6. There is no adverse report against the conduct of the workman and none has been filed with the records. There appears to be no rationality in picking up the employees of lowest serial number and giving them promotion and debarring the workman of his promotion. The Act of the respondents is based on malafides and victimization. The workman has been superseded for no fault of his own.

It was further submitted from the side of the respondents that it is not the function of the Tribunal/ Court to consider the merits of various candidates. My attention was drawn to 1996 (1) LLJ 402 as page 406 SC and 2003 (5) SLR 728 Para-8. It is of course true that the respondents have right to prepare seniority list after considering the merits of an individual employee but if such merit list has been prepared they have no right to supersede an employee. They have exercised their rights of considering the merits of various candidates and the workman has been selected on the basis of merit and he has been placed at seniority no. 6. There is no question of giving promotion to the employees at seniority no. 8 and 9 even if the work of this applicant has becomes dis-satisfactory after preparation of seniority list. Once a seniority list is prepared the seniority cannot be undermined for extraneous considerations. The respondents have failed to show as to why they have offered promotion to the employees of Sl. no. 7 and 9 and why they have refused the benefit of promotion to the applicant. The order of promotion appears to be malafide and vested with extraneous considerations. It is the function of the respondents to consider the merits of the various candidates but their function is over when seniority list is prepared and they cannot be vested with any discretion to pick and choose a candidate having lesser marks and lesser number and supersede the other one ranking in higher

seniority. The law cited by the management is not applicable in the facts and circumstances of the instant case.

There is no question of re-evaluation of the merits of the candidates. The merit of the applicant has been assessed by the DPC and he has been superseded. The DPC has recommended him for promotion. There should be none in the respondents to sit over the final decision of the DPC. The law cited by the management is not applicable in the instant case.

It was further submitted from the side of the respondents that malafides should be shown only where evidence has been led to justified such a finding. It should not be made either in a casual manner or light heartedly. In the instant case malafides are apparent. No evidence for the same is required. In seniority list the workman is on Sl. no. 6 and the candidates promoted have been posted at Sl. no. 7 and 9. Malafides can be gathered from the promotion of the junior employees. No evidence from the side of the workman is required. The respondents have filed seniority list and that seniority list has been given effect to but the applicant has been superseded. There is no evidence on record. No confidential of the workman has been filed on the record. Discharge of duty has been found satisfactory so there is nothing other than malafides which have prevented the respondents not to promote the workman applicant. The law cited by the respondents are not applicable in the facts and circumstances of the instant case. The respondents have not followed the policy of promotion strictly. They have illegally superseded the workman at no. 6 on their seniority list and have given promotion to the employees junior to him being placed on seniority no. 7 and 9. Management has acted in breach of this promotion policy. The workman deserves to be promoted along with his juniors Mrs. Geeta Laxmi and Mrs. Niti Srivastava. It is apparent from the seniority no. 7 to 23 have been promoted but the workman applicant on Sl. No. 6 in the same seniority list has been superseded. The promotion list subsequently filed by the respondents is not authentic as No. 95 and 96 appear to be interpolated after preparation of the promotion list. The law cited by the respondents are not applicable in the instant case.

The reference is replied thus :—

The management National Insurance Company Limited did not follow the Promotion Rules scrupulously while considering the case of Shri T. K. Gulati, Assistant for promotion to the post of Sr. Assistant. The applicant deserves to be promoted along with and w.e.f. the promotion of Mrs. S. Geeta Laxmi and Mrs. Niti Srivastava candidates of seniority no. 7 and 9.

Award is given accordingly.

Date 30-01-2006

R.N. RA1, Presiding Officer

नई दिल्ली, 16 फरवरी, 2006

का. आ. 987.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच,

अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अतिरिक्त/श्रम न्यायालय-I, चंडीगढ़ के पंचाट (संदर्भ संख्या आई सी सं. 57/1996) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-02-2006 को प्राप्त हुआ था।

[सं. एल-12012/42/1995-आई आर (बी.-I)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 16th February, 2006

S.O. 987.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (I. D. No. 57/1996) of the Central Government Industrial Tribunal-cum-Labour Court-I, Chandigarh now as shown in the Annexure, in the industrial dispute between employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 15-02-2006.

[No. L-12012/42/1995-IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I CHANDIGARH

Case No. I D. 57/96

Sh. Balraj Singh S/o Sh. Ram Singh, Village and Post Office Naraina, District Panipat, Haryana.Applicant

Versus

The Assisant General Manager, State Bank of India, Zonal Office, Sector 8-C, ChandigarhRespondent

APPEARANCES:

For the Workman : Shri R. P. Rana

For the Management : Sh. V.K. Sharma

AWARD

Passed on 2-2-2006

Central Govt. vide No. L. 12012/42/95/IR/(B-I) dated 24-6-1996 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of State Bank of India, in terminating the services of Shri Balraj Singh S/o Sh. Ram Singh, Ex-messenger and not giving the preference during re-employment is legal, just and fair? If not, what relief he is entitled to and from what date?”

2. Workman filed claim statement and stated that he was appointed as temporary messenger against a permanent vacancy on 13-11-1991 at Panipat Branch of the management and he worked upto 25-5-92 continuously for 195 days when his services were terminated without any reasons and without giving any notice of retrenchment and compensation. Thus the management has violated the

provisions Section 25 G of the I. D. Act as after the termination of his service one Surjit Singh was appointed on 22-6-1992 and he worked up to 9-10-1993 for 202 days and this fact has been admitted by the management before the ALC (Rohtak). This action of the management is also unfair labour practice. Therefore, the workman prayed for his reinstatement into service with back wages and interest.

3. In written statement management admitted that workman worked from 13-11-1991 to 25-5-1992 by way of specific letter of appointment wherein it was categorically mentioned that this is his temporary appointment which was made on account of sudden exigencies and will not confer any right on the workman to claim for absorption in the bank as permanent in any category. His services came to an end automatically in terms of his appointment letter and no provisions of any law has been violated by the bank. It is further submitted that the appointment of the applicant was not made through procedure. In the similar manner one Surjit Singh was appointed from 22-6-92 to 9-10-1993. He filed a civil suit against the management for his termination, the same was dismissed. Therefore, there is no violation of Section 25 H of the I.D. Act, 1947.

4. In evidence workman filed his affidavit Ex. W1 alongwith documents. Management also filed affidavit Ex. M 14 of Jasbir Singh, Deputy Manager. Both witnesses were cross-examined by the rival counsels at length.

5. Learned counsel for the workman submitted that workman was appointed messenger vide appointment letter w.e.f. 13-11-91 and worked upto 25-5-92 and completed 195 days and thereafter his services were terminated on 25-5-92 without any notice or retrenchment compensation and it is in violation of Section 25-G of I.D. Act, 1947, as after termination of the workman management appointed one Mr. Surjit Singh in his place on 22-6-92 to 9-10-93 for 202 days which action of the management is in violation of Section 25H of the I.D. Act. Management also admitted this fact of appointment of fresh person Surjit Singh after termination of the workman. Action of the management in appointment of another person in place of workman after a gap of 27 days amounts to unfair labour practice on the part of the management. Workman is un-employed from the date of his termination. He may be reinstated with full back wages. Learned Counsel for the workman also relied on 2003 (3) R.S. page 278 Chief Engineer, Ranjit Sagar Dam, Construction and another *Vs.* Kashmiri Lal and another. A judgment of our own High Court and another judgment in Civil Writ Petition No. 15718 of 1996 decided on 21-7-98 *Guru Nanak School Chandigarh Vs. Presiding Officer. Labour Court, Chandigarh.*

6. Learned Law Officer Sh. V.K. Sharma of the management in reply submitted that claim of the workman is not correct and tenable. There is no violation of provision of Section 25-G or H of the I.D. Act. He submitted that workman had not completed 240 days. Workman was appointed in the S.B.I. Branch for a fixed period by a written appointment letters given to him and in this manner as the

recruitment of the workman was not for a long term, he was appointed 13 times for short period and the appointment letters are Ex. M1 to M-13 in which period of term of his appointment is given and after ending of the contract no notice is required to be given. Workman also has admitted these appointment letters. It is stated in these appointment letters that this is temporary appointment on account of sudden exigencies will not confer any right on the workman to claim for absorption in the bank. The appointment is purely temporary only for the days given in letter or the management unless by written order extend. Learned Law Officer of the bank refuted the claim saying that there is no retrenchment, as there is a written contract ended by efflux of time. After his disengagement one Surjit was appointed whose services were also terminated and he challenged his termination in a Civil Court and the civil suit was dismissed. The workman has accepted the appointment on the basis of appointment letters given to him and termination is in compliance of written contract. Workman was a temporary employee appointed for a fixed period and no unfair labour practice was adopted as there is no breach of written contract. The workman was appointed for a fixed period again and again through appointment letters and his services were disengaged and it is not a retrenchment. Management also referred to a judgment dated 18-8-2004 of the Hon'ble Supreme Court in case of *State Bank of India Vs. Raja Ram* and same is not disputed. He submitted that facts of this case are similar to the case in held and Hon'ble Supreme Court had held in this case that appointment for a fixed period by written contract and disengagement on account of efflux of time is not a retrenchment and order of Learned Tribunal retrenchment and back wages is not correct. He also submitted and referred to another judgment of our own Hon'ble High Court of Pb. & Haryana in case of *State Bank of India Vs. P.O. CGIT in CWP No. 18761 of 2002* decided on 3-5-2005 in which it has been held that to claim reinstatement, workman has to show that his services were retrenched but as workman has been merely appointed as temporary messenger for a period of 24 days and his service had come to an end by efflux of time in terms of the appointment letter annexure P/2, therefore no right had accrued to the workman. The Hon'ble High Court found that contention raised by the petitioner deserved to be accepted. From the perusal of Section 2H of the Act the Hon'ble High Court found that it was for the workman who claims any preferential right to appointed to show that his services has been retrenched by the management. In the present case services of the workman came to an end in terms of the appointment letter. As a matter of fact, workman was not employed for a period of 240 days and accordingly provision of Section 2 (oo) (bb) are duly attracted to such appointments. Hence no case is made out in favour of the workman. The judgment of Hon'ble Supreme Court in *S.B.I. Vs. Raja Ram* of 18-8-2004 fully applies to this case.

7. In view of the above submissions of Learned Counsel for the workman and the Ld. Law Officer of the

State Bank of India. I found that main dispute between the parties solely is that though workman appointed through written appointment letters wherein there is a clause of automatic termination of service on a particular date and workman who completed 202 days of service his services was terminated without any notice and retrenchment compensation and one Surjit admittedly was appointed subsequently to his termination is in violation of 25H of the I.D. Act being an unfair labour practice by the management. In view of the law referred by the workman he is to be reinstated with full back wages as his termination was unjust.

8. I have gone through the Law referred and riled by both the parties I also rely on judgment of Hon'ble Supreme Court and H.C. of Punjab and Haryana referred and relied by Management. In these judgments it is argued before the Hon'ble Supreme Court and High Court the Section 25 G will not be attracted in the facts and circumstances of the case and the order for reinstatement of the respondent was wrong. In this case the management also referred to the judgment of our own High Court in State Bank of India V/s. Presiding Officer, CGIT and another. Our own High Court has held that termination of a temporary messenger for a period of 24 days and his services came to an end by efflux of time in terms of the appointment letter Annexure P-2, therefore, no right accrude to the workman, it was for the workman who claim preferential right to be appointed to show that his services has been retrenched by the management. In the present case the services of the workman had come to an end in terms of his own appointment letter.

9. I have also found from the persual of appointment orders that workman was appointed for a very short fixed term which was not denied by the workman in which his date of termination also mentioned. It is also admitted that workman was not appointed through a regular procedure and it was a back door entry. He had not applied to the bank for a job and without applying he got appointment. Apart from relying on the judgment of Hon'ble Supreme Court relied by the management which was passed in their own case, I also referred JT 1997 (4) Supreme Court 560, Himanshu Kumar Vidyarthi V/s. State of Bihar and Others, in which the Supreme Court has held that termination of service of temporary employees who were on daily wagers held daily wager has no right to posts and their disengagement is not arbitrary since they are temporary employees. It is necessary for the courts to refuse relief of reinstatement to an employee who may have got entry in the public service by unlawful or unfair mean. If the court finds that workman is beneficiary of fraudulent system of employment or if it finds that he is a back door appointee, prayer for reinstatement be refused even though termination of service of such workman may be without compliance of mandatory provisions of Section 25F and Section 25G. Undisputedly in this case workman was not appointed through any legal established procedure. I also rely on 2005 (1) SCT page 147 Mohinder Lal Jain V/s. Indore

Development Authority wherein it is held that daily wager and adhoc employees do not hold any regular post and they are appointed for some specific work. Their appointments are in violatiion of Article 14 in as much as they are not appointed by any competent authority in accordance with the rules and procedure. Such appointments are void ab initio being opposed to public policy.

The Hon'ble Supreme Court has discussed in Law referred by management in SBI V/s. Raja Ram case. That Court must declare an unfair labour practice of service of a and workman should allege that it is an unfair labour practice. However, it is the continuiry of service of a workman over a period of years with is frowned upon. Besides, it needs to be emphasised that for the practice to amount to unfair labour practice it must be found that the workman had been retained on a casual or temporary basis with the object of depriving the workman of the status and privileged of a permanent workman. There is no such finding in this case. Therefore, Item 10 in List-I of the 5th schedule to the Act cannot be said to apply at all to the respondent's case and the Labour Court erred in coming to the conclusion that the respondent was, in the circumstances, likely to acquire the status of a permanent employee. Furthermore, both the High Court and the Labour Court appeared to have proceeded on the basis that the appointment of Ram Kumar after the employment of the respondent ceased, also on casual basis, was an unfair labour practice. If this view is to be upheld the respondent's appointment in place of Sooraj would equally be an unfair labour practice and therefore unsustainable. I hold that it is not an unfair labour practice or retrenchment or violation of any provisions of Section 25GH of ID Act.

10. In view of above referred authorities and relying as referred by management, I am of the considered view that workman was appointed for short periods through written appointment letters wherein termination was mentioned by efflux of time and a date was given at the end of the contract. I am of the considered view that workman Balraj who was appointed through Ex. M1 to M13 and all the time his services were terminated by efflux of time as there was written contract between the bank and the workman. Therefore, I do not find that any right accured to the workman for his reinstatement. In view of the judgment of the Hon'ble Supreme Court in 2005 (1) SCT 147 referred above, that workman can not claim reinstatement as their appointments are void ab initio being opposed to the public policy. In view of the above, I am of the considered view that management proved that the action of the management of the State Bank of India in terminating the services of Shri Balaraj Singh son of Ram Singh messenger and not giving the preference during re-employment is legal, just and fair and the workman is not entitled to any relief what so ever. The reference is answered accordingly. Central Govt. be informed. File be consigned to record.

Chandigarh.

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 16 फरवरी, 2006

का. आ. 988.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हंगकांग एण्ड शंघाई बैंकिंग कोरपोरेशन लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 1, नई दिल्ली के पंचाट (संदर्भ संख्या आई डी 99/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-2006 को प्राप्त हुआ था।

[सं. एल-12012/67/96-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 16th February, 2006

S.O. 988.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (ID. No. 99/97) of the Central Government Industrial Tribunal-cum-Labour Court-I, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Hangkong and Shanghai Banking Corpn. Ltd. and their workman, which was received by the Central Government on 15-2-2006.

[No. L-12012/67/96-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NEW DELHI

Presiding Officer : Shri S. S. Bal

I.D. 99/97

In the Matter of dispute between :—

Shri Rajiv Mishra,

S/o Shri Ramesh Kumar Mishra

R/o 13/122, Dakshin Puri Extn.,

Delhi

..... Workman

Versus

The Management of Hongkong and

Shanghai Banking Corpn. Ltd.,

28, Kasturba Gandhi Marg,

New Delhi—110001

..... Management

APPEARANCES

None for the workman.

Sh. M. Dias A/R for management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/67/96-IR (B-I) dated 14-07-97 has referred the following industrial dispute to this Tribunal for adjudication :

“Whether the action of the Management of Hongkong and Shanghai Banking Corpn. Ltd. New Delhi in dismissal of Sh. Rajeev Mishra Sub-Staff, from services

w. e. f. 3-10-92 is just, fair and legal, If not what relief the concerned workman is entitled to and from what date?”

2. The workman filed claim-statement claiming that the action of the management in dismissing his services from 3-10-92 is illegal.

3. Management filed written statement justifying its action.

4. Written statement was followed by rejoinder wherein contents of written statement were denied and those of claim statement were reiterated, to be correct.

5. The case was fixed for evidence of the management on 22-1-2001 and Shri Sanjeev Uppal, Manager was examined as MW1 on behalf of the management and management closed its evidence on 22-1-2001. Thereafter case was posted for evidence of the workman on 19-3-2001 workman was granted about eighteen opportunities to adduce his evidence by way of affidavit but he failed to do so. His counsel Shri J. Buther sought discharge from prosecuting the case of the workman. The workman was thereafter sent notice for appearance and to prosecute his case but he failed to do so and the case was posted for argument. Arguments were addressed by Shri M. Dias, advocate on behalf of the management while Shri J. Buther withdrew from prosecution of the case on 30-9-02.

6. I have perused the material available on record meticulously. Perusal of record shows that the workman was provided many opportunities from 19-3-2001 to 20-9-2004 to adduce evidence but did not adduce any evidence in support of his claim and even he did not contact his lawyer and failed to appear despite notice after his counsel withdrew from the prosecution of this case. In these circumstances I heard arguments addressed by Mr. Dias Advocate for the management and perused the record.

7. Workman has claimed that the action in terminating his services by the respondent from the bank of its branch at Kasturba Gandhi Marg is illegal but he has not placed any material on record to show that the action of the management illegal or unjustified. The management on the other hand has examined Sh. Sanjeev Uppal its manager as MW1 in support of its action who has filed his affidavit Ex. MW 1/A by way of his deposition. The averments made in the affidavit of Sh. Sanjeev Uppal MW1 to the effect that the action of the management in terminating the services of the workman is legal and justified have gone unrebutted on record. There is no material on record to show that the action of the management is unjustified or illegal as claimed by the workman. In view of the absence of any such material on record I have no option but to hold that the action of the management in terminating the services of the workman is legal and justified. Award is given accordingly. File be consigned to Record Room.

S. S. BAL, Presiding Officer

Dated : 07-02-2006

नई दिल्ली, 16 फरवरी, 2006

का. आ. 989.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हंगकांग एण्ड

शंघाई बैंकिंग कॉर्पोरेशन लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 1 नई दिल्ली के पंचाट (संदर्भ संख्या आई डी 98/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-2006 को प्राप्त हुआ था।

[सं. एल-12012/66/96-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 16th February, 2006

S.O. 989.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (ID. No. 98/97) of the Central Government Industrial Tribunal-cum-Labour Court, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Hongkong and Shanghai Banking Corpn. Ltd. and their workmen, which was received by the Central Government on 15-2-2006.

[No. L-12012/66/96-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NEW DELHI

Presiding Officer : Shri S. S. Bal

I.D. No. 98/97

In the Matter of dispute between :—

Shri Krishan Kaushik,

S/o Shri Mahavir Saran Kaushik,

R/o D-79, Shyam Park Extn.,

Sahibabad (U. P.)

..... Workman

Versus

The Management of Hongkong and

Shanghai Banking Corpn. Ltd.,

28, Kasturba Gandhi Marg,

New Delhi—110001

..... Management

APPEARANCES

None for the workman.

Sh. M. Dias A/R for management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/66/96-IR (B-I) dated 14-07-97 has referred the following industrial dispute to this Tribunal for adjudication :

“Whether the action of the Management of Hongkong and Shanghai Banking Corpn. Ltd. New Delhi in dismissal of Sh. Kishan Kaushik Sub-Staff, from services w. e. f. 3-10-92 is just, fair and legal, If not what relief the workman is entitled to and from what date?”

2. The workman filed claim statement claiming that the action of the management in dismissing his services from 3-10-92 is illegal.

3. Management filed written statement justifying its action.

4. Written statement was followed by rejoinder wherein contents of written statement were denied and those of claim statement were reiterated, to be correct.

5. The case was fixed for evidence of the management on 22-1-2001 and Shri Sanjeev Uppal, Manager was examined as MW1 on behalf of the management and management closed its evidence on 22-1-2001. Thereafter case was posted for evidence of the workman on 19-3-2001 workman was granted about eighteen opportunities to adduce his evidence by way of affidavit but he failed to do so. His counsel Shri J. Buther sought discharge from prosecuting the case of the workman. The workman was thereafter sent notice for appearance and to prosecute his case but he failed to do so and the case was posted for argument. Arguments were addressed by Shri M. Dias, advocate on behalf of the management while Shri J. Buther withdrew from prosecution of the case on 30-9-02.

6. I have perused the material available on record meticulously. Perusal of record shows that the workman was provided many opportunities from 19-3-2001 to 20-9-2004 to adduce evidence but did not adduce any evidence in support of his claim and even he did not contact his lawyer and failed to appear despite notice after his counsel withdrew from the prosecution of this case. In these circumstances I heard arguments addressed by Mr. Dias Advocate for the management and perused the record.

7. Workman has claimed that the action in terminating his services by the respondent from the bank of its branch at Kasturba Gandhi Marg is illegal but he has not placed any material on record to show that the action of the management is illegal or unjustified. The management on the other hand has examined Sh. Sanjeev Uppal its manager as MW1 in support of its action who has filed his affidavit Ex. MW 1/A by way of his deposition. The averments made in the affidavit of Sh. Sanjeev Uppal MW1 to the effect that the action of the management in terminating the services of the workman is legal and justified have gone un rebutted on record. There is no material on record to show that the action of the management is unjustified or illegal as claimed by the workman. In view of the absence of any such material on record I have no option but to hold that the action of the management in terminating the services of the workman is legal and justified. Award is given accordingly. File be consigned to Record Room.

S. S. BAL, Presiding Officer

Dated : 07-02-2006

नई दिल्ली, 16 फरवरी 2006

का.आ. 990.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद-II के पंचाट (संदर्भ संख्या 99/96)

को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-06 को प्राप्त हुआ था।

[सं. एल-20012/188/95-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 16th February, 2006

S.O. 990.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (No. 99/96) of the Central Government Industrial Tribunal-cum-Labour Court, Dhanbad-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 15-2-06.

[No. L-20012/188/95-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO.2) AT DHANBAD PRESENT

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under Section 10 (1) (d) of the I. D. Act., 1947.

REFERENCE NO. 99 OF 1996

PARTIES

Employers in relation to the management of Jamadoba Colliery of M/s. Tisco. and their workman.

APPEARANCES

On behalf of the workman : Mr. B. K. Bose,
Advocate

On behalf of the employers : Mr. D. K. Verma,
Advocate

State : Jharkhand Industry : Coal.

Dated, Dhanbd, the 12th January, 2006

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1) (d) of the I. D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order no. L-20012/188/95-I. R. (Coal-I), dated, the 4th September, 1996.

SCHEDULE

"Whether the action of the management of M/s. TISCO in denial to give employment to Smt. Anjana Gorai wife of Late Daso Gorai is justified? If not, to what relief is the said workman entitled?"

2. Case of the concerned workman/petitioner according to Written Statement submitted by the sponsoring union on her behalf in brief is as follows :—

The sponsoring union submitted that husband of the concerned workman/petitioner Shri Daso Gorai was appointed by the management at 6/7 Pits Colliery as Cat. I

Mazdoor on 21-4-83. On 19-3-87 said Daso Gorai was in 'A' shift duty from 8.00 A. M. to 4.00 P. M. After completion of his duty he became seriously ill and was admitted in the Company's hospital at Jamadoba at 9.10. P. M. but he died at 2. 20 A. M. on 20-3-87 i. e. within five hours of his admission. After the death of Daso Gorai his wife Anjana Gorai the petitioner submitted representation to the management for her employment in place of her deceased husband on compassionate ground as she had no so of her own. But her prayer was not considered by the management though on similar ground management provided employment to widows of different workmen. They alleged that management adopted a discriminatory policy in rejecting the prayer of the petitioner for her employment being the dependent of the deceased workman. They further submitted that the son-in-law of deceased workman Shri Nemai Gorai is also eligible for employment in place of his father-in-law Daso Gorai because he is also to be considered as dependent for employment. They alleged that the action taken by the management in not providing employment to any of the dependent of the deceased workman late Daso Gorai is illegal and arbitrary. Accordingly they raised an industrial dispute before the ALC (C) Dhanbad for conciliation which ultimately resulted reference to this Tribunal for adjudication. The sponsoring union accordingly submitted prayer to pass Award directing the management to provide employment to the dependent of the deceased workman of Daso Gorai along with consequential benefits.

3. Management on the contrary after filing written statement-cum-rejoinder have denied all the claim and allegations which the sponsoring union asserted in the Written Statement submitted on behalf of the concerned workman/petitioner. They submitted that Daso Gorai was employed at 6/7 Pits Colliery of the company on 21-4-83 and died on 20-3-87 rendering about 4 years of service in the colliery. They submitted that as per procedure for providing employment to the dependent of employees a workman is eligible to apply for enrolment of two of his dependents after completion of 15 years of service in the employees dependent register and thereafter the case of employment of a dependent is considered against future vacancies. As the workman late Daso Gorai did not complete 15 years of service he did not get his dependents enrolled in the employees dependents register and for which there was no scope for employment of his dependant existed as per company's procedure. They further submitted that the female relative of an employee is not considered as dependant because of the fact that management is running only underground mines and employment of female workers inside the Mines has been strictly prohibited under the provision of Mines Act, 1952. As there is very limited scope for employment of the female workers management does not enrol any female worker as dependant in the employees dependent register. However, in a very special case a female employee can be accommodated for employment on compassionate ground only. They disclosed that

Smt. Anjana Gorai wife of late Daso Gorai being a female employee could not be considered as dependant and accordingly there was no scope for her employment in view of non-existence of vacancy even on compassionate ground. As Daso Gorai did not put requisite years of service, none of his dependant was entitled to be enrolled for employment and the sponsoring union cannot advance any claim on behalf of any other person. They submitted further that the procedure for employment of the dependant has been adopted by the management in consultation with the recognised union RCMS and the employment procedure of the company has been accepted as fair, proper and uniform by the Hon'ble Tribunal. As such no one can claim employment circumventing well recognised procedure by adopting any other rule. In view of the facts stated above management submitted that the concerned workman/petitioner is not entitled to get any relief. Accordingly they submitted prayer to pass an Award rejecting the claim of the concerned workman.

4. Points to be Decided

"Whether the action of the management of Tisco. in denial to give employment to Smt. Anjana Gorai wife of Late Daso Gorai is justified? If not, to what relief is the said workman entitled?"

5. Finding with Reasons

It transpires from the record that the sponsoring union with a view to substantiate their claim examined the petitioner workman as WW-1. Management also in support of their claim examined one witness as MW-1. Considering the evidence of both sides and also considering the material papers on record it has been admitted by both sides i.e. the sponsoring union as well as the management that Daso Gorai was employed at 6/7 Pits Colliery under the management on 21-4-83 and died on 20-3-87. It is the contention of the sponsoring union that on 19-3-87 said Daso Gorai was in 'A' shift duty from 8 A.M. to 4 P.M. and after completion of duty he became seriously ill and was admitted at Jamadoba Central Hospital at 9.10 P.M. which is owned and run by the management but he died at 2.20 A.M. on 20-3-87 i.e. five hours after his admission. Death of that workman Daso Gorai was not denied by the management. It is seen that after the death of Daso Gorai his widow Smt. Anjana Gorai Submitted representation to the management with prayer for employment on compassionate ground. But her such prayer was not considered taking the ground that her deceased husband served under the management only about 4 years. They submitted that as per the procedure for providing employment to the dependants of the employees a workman is eligible to submit application for enrolment the names of his two dependants in Employees dependent register after completion of 15 years of service. They disclosed that as Daso Gorai died after rendering only four years of service there was no scope for him to enrol the name of any of his dependent in the Employees Dependant register. As future employment of the dependant is considered as per the

seniority list of the employees dependants in the dependent register and as name of any dependant of Daso Gorai was not recorded in the said register question providing employment as per the procedure of the company did not arise. They further submitted that as per Mines Act, 1952 employment in the underground

Mines in respect of any female worker is strictly prohibited. they submitted that as the management is running only underground Mines there was no scope at all to provide employment to the petitioner workman after the death of her husband, in the Mines.

During evidence of WW-1 the procedure for employment of the dependants of the employees of the company was marked as Ext. W-4. According to this procedure only son, brother, adopted son, son-in-law, grand son are considered as dependant of employees for the purpose of employment. As per procedure an employee becomes eligible to enrol the name of his dependant on completion of 15 years of service. He can also enrol the name of an alternate dependant giving the 1st and 2nd choice. However, there is provision in the said procedure for outright employment. In clause 3.1 of the procedure it has been mentioned that an employee who meets with a fatal accident in course and arising out of his duty, an outright employment is given to his dependant irrespective of the fact whether one of his dependant was enrolled earlier on the strength of his service. Similarly as per clause 3.6 of the procedure it has been mentioned that one dependant of an employee suffering from T.B. Pneumoconosis, Leprosy and Nystagmus, which are not curable and due to which he resigns/is discharged medically, is considered for outright employment, provided he has put in minimum of 5 years of service and that he is below 55 years of age on the date of resignation.

Considering these two provisions it is seen that management can provide employment on compassionate ground to any of the dependant if an employee meets with any fatal accident in course of and arising out of his duty also when a workman is declared medically unfit and discharged from his service or if that employee resigns from the service being a patient of T. B., Pneumoconosis, Leprosy and Nystagmus. Considering the facts disclosed in the Written Statement submitted by the sponsoring union and also considering the evidence of WW-1 there is reason to hold that the concerned workman neither met any fatal accident nor he was discharged medically or resigned from his service for his suffering from T. B. Pneumoconosis, Leprosy and Nystagmus. It is seen that on 19-3-87 Daso Gorai deceased worker attended his 'A' shift duty started from 8.00 A. M. to 4 P. M. and after completion of his duty he fell seriously ill and for which he was admitted at Jamadoba Central Hospital of the management at 9.00/10 P. M. but died at 2.20 A. M. on 20-3-87. Referring a letter dt. 2-12-88 issued by the Director of Collieries (J) marked as Ext. W-6 the representative of the concerned workman submitted that the deceased worker Daso Gorai died of T. B. after serving the company for 5 years. Accordingly it is

their claim that as per procedure for employment of the dependents of the employees of the company as laid down in clause 3.6 management cannot avoid their responsibility to provide compassionate employment to the widow of the said deceased. Clause 3.6 speaks clearly that one dependant of an employee suffering from T. B. Pneumoco-Leprosy and Nystagmus which are not curable and due to which he resigns/is discharged medically, is considered for outright employment, provided he has put in minimum of 5 years of service and that he is below 55 years of age on the date of resignation. Therefore, before taking into consideration of the submission of the representative of the concerned workman it has to be looked into whether the deceased worker was a T. B. patient and if so whether he resigned from his service or was discharged medically and thirdly if he rendered continuous of 5 years of service under the management. If the facts disclosed in the letter marked as Ext. W-6 is taken into consideration it will expose clearly that it was the widow of the deceased workman who claimed that her husband died of T. B. It is seen that just a few hours before the death the deceased worker fully performed his duty on 19-3-87 at 'A' shift duty. It is practically impossible for a T.B. patient with serious condition to attend his duty of Cat. I Mazdoor for full period before his death. However, when the widow of the deceased worker claimed that her husband was a T. B. patient and died as a result of that ailment she cannot avoid her responsibility to produce relevant medical papers in support of such claim. During evidence the petitioner worker i. e. widow of the deceased workman submitted that death certificate of her husband which was handed over to her Advocate is found to be missing. If for argument's sake the plea taken by her is accepted in that case she cannot avoid her responsibility to produce relevant treatment sheets of her husband to show that being a T. B. patient he was under treatment but that too she failed to produce during hearing. It is really curious to note that in the Written statement which the sponsoring union submitted on her behalf there is no whisper to the effect that the deceased worker Daso Gorai was a T. B. patient and he died being a T. B. patient. This plea has been taken in course of hearing based on the letter issued by the Director of Collieries marked as Ext. W-6. It has to be considered a new story which was not included in the Written Statement. Absolute onus rests on the petitioner workman i. e. widow of the deceased worker to establish that her husband was a T. B. patient and he died being a T. B. patient. Now let it be considered if the concerned workman worked under the management continuously for a period of five years before his death. In para-3 of the Written Statement submitted by the sponsoring union they have categorically asserted that the concerned workman was employed at 6/7 Pits colliery of the management on 21-4-1983 as Cat. I Mazdoor. This fact management has not denied. Therefore, considering the pleading of both sides there is sufficient scope to draw conclusion that the deceased worker was appointed by the management in regular course of employment with effect from 21-4-83. In course of hearing the sponsoring union

based on certain documents created a new story which was not included in the Written Statement to the effect that the concerned workman continuously worked under the management for more than five years before his death. In support of such claim the sponsoring union relied on the wage sheet marked as Ext. W-1 issued by the management in the month of February, 1982. They also relied on two orders issued by the management marked as Ext. W3 Ext. W-3/1. Office order marked as Ext. W-3 was issued under signature of the Ventilation Officer, 6 and 7 Pits Jamadoba Colliery dt. 3/7-6-82. while the office order marked as Ext. W-3/1 was issued by Manager (Opn) 6 & 7 Pits Jamadoba Colliery dt. 6-3-1982. From these office orders it transpires clearly that the concerned workman at that relevant time was temporary Cat. I Mazdoor. From Office Order marked as Ext. W-3/1 it transpires clearly that the concerned workman was stopped from his temporary engagement till further advice and from Office order marked as Ext. W-3 which was issued on 3/7-6-82 it transpires that he was asked to deposit certain empty stone dust bags failing which value of the said materials will be realised from his wages. If the contention of the sponsoring union is taken into consideration it will expose clearly that from February, 1982 to 25-6-83 he was engaged under the management as temporary Cat. I mazdoor. It is seen that the concerned workman raised an industrial dispute in between the said period i.e. for the period from February, 1982 to 6/83 and during hearing of the conciliation proceeding before the ALC(C), Dhanbad management issued a letter of appointment in favour of Daso Gorai as Cat. I Mazdoor which was effective from 21-4-83. Therefore, it is clear from the appointment letter that Daso Gorai came in the permanent roll of the management as Cat. I Mazdoor w.e.f. 21-4-83. He died on 20-3-87 i.e. he worked under the management for a period of three years eleven months and one day before his death, after getting his letter of appointment. Prior to that he was on temporary roll from February, 1982 and during that temporary roll his work was stopped by the management for certain months due to dereliction of duties marked as Ext. W-3/1. Daso Gorai during his life time did not raise any industrial dispute for counting the period of his temporary service with the service period when he got his regular appointment as Cat. I Mazdoor (Ext. W-5) Naturally the widow of the deceased worker is estopped from raising such dispute particularly considering it as a new story when that fact was not included in the Written Statement submitted by the sponsoring union on her behalf. Ld. Advocate for the petitioner workman referring to a decision reported in AIR 1990 Supreme Court 1607 submitted that seniority has to be counted from the date of appointment and not from the date of confirmation. Considering the decision referred to above there is no scope to raise any question on that point. Here in the instant case the concerned workman got his appointment w.e.f. 21-4-83 (Ext. W-5). Therefore, there is no dispute to hold that if any question of seniority comes in, in that case the same should be counted from the date of his appointment. In the decision Their Lordships did not make any observation to the effect

that the period of seniority will be counted from the date of appointment of any worker with the status of casual worker. On the contrary in the decision reported in 2004 (1) JLJR page 365 His Lordship referring the decision of State of Haryana and Rani Devi and another reported in AIR 1996 SC 2445 observed categorically that "since it is the admitted case of the parties that the concerned workman was a casual worker and therefore in view of the Judgement of the Supreme Court (Supra) the dependant of the concerned workman is not entitled to the appointment on compassionate ground." Therefore, in view of the facts and circumstances discussed above there is sufficient scope to say that the period the deceased worker consumed as casual worker cannot be added with the service period after he got his regular appointment. Accordingly his period of service will be counted from the date of his appointment in the regular service till his death and if it is so considered in that case the deceased worker clearly completed four years of service before his death.

Now if clause 3.6 of the employment procedure of the management is looked into the primary condition which is required to be fulfilled is that whether before placing any such claim for employment on compassionate ground of the dependant said worker tendered his resignation from his service or discharged from his service on medical ground or not. Untill and unless these two conditions are fulfilled the scope for application of clause 3.6 does not attract. Here it has been established that some hours before his death the deceased worker fully performed his duties. Therefore, neither he tendered his resignation being a T.B. patient nor he was discharged by the management on medical ground. Accordingly there is no scope of application of clause 3.6 of employment procedure to consider prayer of the widow of the deceased worker.

In view of my discussion above it is clear that the sponsoring union has absolutely failed to substantiate the claim of the petitioner workman i.e. widow of the deceased worker as per clause 3 of the employment procedure of the management that she is entitled to get her employment under the management. Accordingly I am unable to give any relief to the petitioner workman.

In the result, the following Award is rendered :—

"The action of the management of M/s. Tisco, in denial to give employment to Smt. Anjana Gorai wife of Late Daso Gorai is justified. Consequently she is not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 16 फरवरी, 2006

का. आ. 991.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्तर्गत, केन्द्रीय सरकार भा. को. को. लि. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद II के पंचाट (संदर्भ संख्या 294/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-2006 को प्राप्त हुआ था।

[सं. एल-20012/390/2001-आई आर (सी-I)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 16th February, 2006

S.O. 991.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 294/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Dhanbad II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 15-2-2006.

[No. L-20012/390/2001-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD PRESENT

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under Section
10(1)(d) of the I.D. Act., 1947

REFERENCE NO. 294 OF 2001

PARTIES

Employers in relation to the management of Joyrampur
Colliery of M/s. BCCL and their workman.

APPEARANCES

On behalf of the workman	: None
On behalf of the employers	: Mr. D. K. Verma, Advocate
State : Jharkhand	Industry : Coal

Dated, Dhanbad, the 12th January, 2006

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/390/2001 IR(C-I), dated. the 7th November, 2001.

"Whether the action of the Management of Joyrampur Colliery of BCCL in dismissing Sri Nepal Mallick is justified? If not, to what relief is the workman entitled?"

2. Case of the concerned workman according to the Written Statement submitted by the sponsoring union on his behalf in brief is as follows :—

The sponsoring union submitted that the concerned workman was appointed as piece rated Miner/Loader on 21-1-89. They submitted that in course of his employment under the management all of a sudden one of his son died on 28-12-96 and for which he lost his mental balance and became a mental patient and on that ground he had no capacity to join his duty. They further submitted that as the concerned workman was not aware of the norms of the management he did not get scope to submit any application

for leave. However, after recovery when he came to his place of work with a view to resume his duty management issued a chargesheet against him vide Charge Sheet No. BCCL/A/99/CS/1569 dt. 20-11-89. After receipt of the chargesheet concerned workman explained the circumstances which compelled him to remain away from attending his duty. However, as the explanation given by him was not satisfactory management arbitrarily decided to hold a domestic enquiry against him and accordingly appointed Enquiry Officer to that effect. The Enquiry Officer after completing domestic enquiry submitted his report holding the concerned workman guilty to the charges and based on that report management illegally, arbitrarily and violating the principle of natural justice dismissed him from services. After that dismissal the concerned workman submitted representation to the management for his reinstatement but to no effect and for which he raised an industrial dispute through sponsoring union for conciliation which ultimately resulted reference to this Tribunal for adjudication. The sponsoring union on behalf of the concerned workman accordingly submitted prayer to pass an Award directing the management to reinstate the concerned workman to his service setting aside the order of dismissal with full back wages and other consequential benefits.

3. Management on the contrary after filing Written Statement-cum rejoinder have denied all the claims and allegations which the sponsoring union asserted in the Written Statement submitted on behalf of the concerned workman. Management submitted that the concerned workman was absent from his duty w.e.f. 28-12-96 to 20-11-99 i.e. for a period about three years without any information or taking any prior permission from the management. They submitted that the concerned workman was a Miner/Loader and for which he was directly related to the production of coal. Due to his absence production accordingly was affected. As the act of the concerned workman amounted to misconduct management accordingly issued a chargesheet dt. 20-11-99 to the concerned workman. After receipt of the said chargesheet the concerned workman submitted his reply. But as the reply given by him was not satisfactory management decided to hold a domestic enquiry against him, in accordance with the principle of natural justice. The Enquiry Officer in course of hearing of domestic enquiry gave full opportunity to the concerned workman to defend his case and thereafter on completion of hearing of the said enquiry, the Enquiry Officer submitted his report holding the concerned workman guilty to the charges. They submitted that thereafter disciplinary authority considering the said report and also considering all other material aspect decided to dismiss the concerned workman from service and accordingly issued a letter of dismissal. They submitted that the Enquiry Officer conducted domestic enquiry fairly, properly and in accordance with the principle of natural justice. Accordingly the concerned workman is not entitled to get any relief in view of his prayer.

4. POINTS TO BE DECIDED

"Whether the action of the management of Joyrampur Colliery of M/s. BCCL in dismissing Sri Nepal Mallick is justified? If not, to what relief is the workman entitled?"

5. FINDING WITH REASONS

It transpires from the record that before taking up hearing of this case on merit it was taken into consideration whether domestic enquiry conducted against the concerned workman was fair, proper and in accordance with the principle of natural justice. It transpires further that the said order on preliminary point was disposed by this Tribunal vide Order No. 14 dt. 5-10-2005 in favour of the management.

Accordingly now the point for consideration is whether management have been able to substantiate the charge brought against the concerned workman, secondly if there is scope to review the order of punishment imposed upon the concerned workman in compliance to the provision of Section 11A of the I.D. Act, 1947.

It is the specific contention of the management that as the concerned workman remained himself on unauthorised absence without giving any information or taking prior permission from the management a chargesheet dt. 20-11-99 was issued to him. The chargesheet during evidence of MW-1 was marked as Ext. M-2. After receipt of the said chargesheet the concerned workman submitted his reply which also during evidence of MW-1 was marked as Ext. MW-3. In his reply the concerned workman disclosed that for his ailment he did not get scope to join his duty and for which he gave due intimation to the management. When in the reply to the chargesheet the concerned workman took such plea in para-5 of the Written Statement has taken a different plea. In the relevant para it has been disclosed as follows :

"That it was bad luck of the workman that one of his children died on 28-12-96. He lost his mental balance from that day onward and was mentally disabled to earn livelihood for his family thereafter."

It is expected that the facts disclosed in the Written Statement should get its parity with the facts which the concerned workman took in support of his plea of innocence while he made reply to the chargesheet issued by the management. Naturally question crops up here which fact i.e. facts disclosed in the Written Statement or facts disclosed in the reply given by him is true. It is seen that in course of hearing of the domestic enquiry proceeding concerned workman has failed to produce a single scrap of medical paper to show that he was lying ill continuously for more than three years. Even he has failed to produce any paper to show that he intimated to the management showing ground of his absence well ahead. Therefore, considering the facts and circumstances discussed above I find no dispute to hold that the concerned workman

remained himself on unauthorised absence for a period of more than three years and he has failed to give any satisfactory explanation to that effect in course of hearing of the domestic enquiry proceeding. I, therefore, hold that management was justified in issuing chargesheet against the concerned workman under Clause 26-1-1 of the Certified Standing Order. I further hold that management has well been able to establish the charge brought against the concerned workman. The Enquiry Officer after completing hearing of the enquiry proceeding submitted his report which during evidence of MW-1 was marked as Ext. M-6 to the Disciplinary Authority. The Disciplinary Authority considering the said report and considering the past conduct of the concerned workman dismissed him from his service by letter dt. 15-2-2000 (Ext. M-9). Before issuance of the letter of dismissal management gave further opportunity to the concerned workman to explain the circumstances/valid reasons to be examined in his case. Concerned workman did not consider necessary to give any reply to that effect.

Now the point for consideration is whether the said order of dismissal issued against the concerned workman by Disciplinary Authority deserved to be reviewed under Section 11A of the I.D. Act, 1947. Before considering this fact two points are required to be looked into viz. (1) if the order of dismissal issued against the concerned workman was justified and secondly if the said punishment was proportionate to the misconduct committed by him. There is no dispute to hold that the concerned workman was a piece rated miner/loader at Joyrampur Colliery under the management. It is admitted fact that the concerned workman started remaining himself absent unauthorisedly with effect from 28-12-96. The concerned workman did not consider necessary to give any intimation to the management about the reasons of his absence from duty and in this way he remained on unauthorised absence continuously for a period of three years and therefore management was compelled to issue chargesheet against him. After receipt of the chargesheet the concerned workman submitted his reply but the plea taken in the said reply goes far away from the facts disclosed in para-5 of the Written Statement submitted by the sponsoring union on his behalf. If this aspect is taken into consideration there is sufficient scope to say that the concerned workman adopting a hide and seek policy did not divulge the truth in relation to his misconduct committed by him. Opportunity was given to him by the Enquiry Officer to defend his case fully at the time of hearing of domestic enquiry proceeding. In spite of getting that opportunity he did not consider necessary to produce a single scrap of medical paper in support of his claim that he was actually lying ill and for which he was debarred from performing his duties. The enquiry report further shows that the previous conduct of the concerned workman in the matter of his attendance in duty was very bad. According to enquiry report during 1993, 1994, 1995 and 1996 he put his attendance 194 days, 232 days, 167 days and 165 days respectively. Therefore, this report has established how duty bound the concerned workman

was in performing his duties for years together. It is not expected that a workman will use the place of his work as of his choice in the matter of his attendance and work. Here in the instant case it is seen that the concerned workman at his pleasure used to attend his duty to oblige the management otherwise there was no scope to put his attendance in such manner.

It is seen that the concerned workman continuously remained himself absent from duty for more than three years and he did not consider necessary to give any intimation to the management. The concerned workman in spite of getting scope also did not consider necessary to explain the reasons of his absence either at the time of hearing of the enquiry proceeding or before this Tribunal. Therefore, if the conduct of the concerned workman is considered it will expose clearly that he is unamenable. Accordingly there is sufficient reason to hold that management was justified in dismissing the concerned workman from his service and punishment which was inflicted on him, I believe, is absolutely proportionate to the misconduct committed by him. In view of the facts and circumstances discussed above, I therefore, hold that there is no scope to review the order of punishment issued against the concerned workman by the management in compliance to Section 11A of the I.D. Act, 1947. In the result, the following Award is rendered:—

“The action of the management of Joyrampur Colliery of BCCL in dismissing Sri Nepal Mallick is justified. Consequently, the concerned workman is not entitled to get any relief.”

B. BISWAS, Presiding Officer

नई दिल्ली, 16 फरवरी, 2006

का.आ. 992.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को. को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद-II के पंचाट (संदर्भ संख्या 268/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-06 को प्राप्त हुआ था।

[सं. एल-20012/294/2001-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 16th February, 2006

S.O. 992.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Reference No. 268/2001) of the Central Government Industrial Tribunal-cum-Labour Court Dhanbad-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workmen, which was received by the Central Government on 15-2-06.

[No. L-20012/294/2001-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD
PRESENT

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under Section
 10 (1) (d) of the I. D. Act, 1947.

Reference No. 268 Of 2001

PARTIES

Employers in relation to the management of
 Amlabad Project of M/s. BCCL and their
 workman.

APPEARANCES

On behalf of the workman : Mr. K. Chakravorty,
 Advocate.
 On behalf of the employers : Mr. U. N. Lal,
 Advocate.
 State : Jharkhand Industry : Coal

Dated, Dhanbad, the 12th January, 2006

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1) (d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/294/2001-IR (C-I), dated, the 21st September, 2001.

SCHEDULE

"Whether the action of the management of Amlabad Colliery of M/s. BCCL in dismissing Sri Ratilal Mahato is justified? If not, to what relief is the workman entitled?"

2. Case of the concerned workman according to Written Statement submitted by the sponsoring union on his behalf in brief is as follows :—

The sponsoring union submitted that the concerned workman was a permanent workman at Amlabad Colliery but unfortunately due to his serious illness he started absenting from duty though due intimation was given to the management by him to that effect. They submitted that after recovery when the concerned workman came to his place of work with a view to resume his duty, instead of allowing him to join his duty issued a false chargesheet to him. After receipt of the said chargesheet though he submitted his reply management without accepting the same initiated a domestic enquiry against him appointing an Enquiry Officer and thereafter based on report submitted by the Enquiry Officer the Disciplinary Authority dismissed him from service illegally arbitrarily and violating the principle of natural justice. Accordingly he submitted representation to the management with prayer for his reinstatement but to no effect and for he raised an industrial

dispute through the sponsoring union before the ALC(C), Dhanbad for conciliation which ultimately resulted reference to this Tribunal. The sponsoring union accordingly submitted their prayer to reinstate the concerned workman from the date of his dismissal with back wages and consequential relief.

3. Management on the contrary after filing Written Statement-cum-rejoinder have denied all the claims and allegation which the sponsoring union asserted in the Written Statement submitted on behalf of the concerned workman.

They submitted that the concerned workman was a badli Miner/Loader at Amlabad Colliery. They further submitted that this worker started absenting himself from duty unauthorisedly w.e.f. 16-2-99 and for which a chargesheet was issued to him *vide* No. 8531 dt. 11-6-99. After receipt of the said chargesheet the concerned workman submitted his reply but as the reply given by him was not satisfactory the Disciplinary Authority appointed Enquiry Officer to hold domestic enquiry against him. After taking charge of the enquiry proceeding the Enquiry Officer initiated domestic enquiry against the concerned workman and the concerned workman although remained present with a view to defend his case. It has been further submitted that full opportunity was given to the concerned workman to defend his case and after completion of hearing of the domestic enquiry proceeding the Enquiry Officer submitted his report holding the concerned workman guilty to the charges. The Disciplinary Authority accordingly considering that report and also considering his past conduct dismissed him from service. They submitted that the Disciplinary Authority neither committed any illegality nor took any arbitrary decision violating the principle of natural justice in dismissing the concerned workman from service. Accordingly they submitted prayer to pass Award rejecting the claim of the concerned workman.

4. POINTS TO BE DECIDED

"Whether the action of the management of Amlabad Colliery of BCCL in dismissing Sri Ratilal Mahato is justified? If not, to what relief is the workman entitled?"

5. FINDING WITH REASONS

It transpires from the record that before taking up hearing of this case on merit it was taken into consideration whether domestic enquiry conducted against the concerned workman was fair, proper and in accordance with the principle of natural justice. Said issue on preliminary point was decided by this Tribunal *vide* Order No. 14 dt. 4-10-2005 in favour of the management.

Now the point for consideration on merit is whether management have been able to substantiate the charge brought against the concerned workman and if so whether there is any scope to review the order of dismissal issued against the concerned workman by the management in view

of provision laid down under Section 11A of the I.D. Act, 1947.

Considering the materials on record I find no dispute to hold that the concerned workman was badli Miner/Loader posted at Amlabad Colliery. It is the specific allegation of the management that the concerned workman without giving any intimation or taking prior permission stated remaining himself absent from duty unauthorisedly with effect from 16-2-99. Accordingly management issued a chargesheet vide No. 8531 5/11-6-99. The chargesheet during evidence of MW-1 was marked as Ext. M-1. After receipt of the said chargesheet concerned workman submitted his reply. It is the contention of the concerned workman that as he fell ill seriously and remained under treatment of a village doctor he did not get scope to attend to his duty. However, he gave due intimation to the management. The reply given by the concerned workman during evidence of MW-1 was marked as Ext. M-2. As the reply given by the concerned workman was not satisfactory management initiated domestic enquiry against the concerned workman and accordingly appointed MW-1 i.e. Mr. Ved Prakash Sr. P.O. as Enquiry Officer. Considering record it transpires that in course of hearing the concerned workman participated not fully but also full opportunity was given to him to defend his case. After completion of hearing the Enquiry Officer submitted his report which during his evidence was marked Ext. M-10. It is the contention of MW-1 that though full opportunity was given to the concerned workman to produce relevant papers in support of his treatment during the period of his absence he failed to produce the same. MW-1 disclosed that only the concerned workman submitted Medical Certificate in support of his claim. It is the specific claim of the concerned workman that as he fell seriously ill he remained under treatment of village doctor and to that effect he gave intimation to the management. It is seen that the concerned workman started remaining himself absent from duty w.e.f. 16-2-99 to 5-6-99 i.e. date of issuance of chargesheet. Therefore, onus is on the concerned workman to establish that for sufficient reason he failed to attend his duty in spite of his best effort. During hearing in spite of getting scope the concerned workman did not consider necessary to submit necessary medical papers in support of his treatment. No doubt in course of hearing the concerned workman submitted a Medical Certificate. This Medical Certificate *ipso facto* does not beyond reasonable doubt show actually he was lying seriously ill, particularly when he had scope to produce relevant medical papers relating to his treatment. Accordingly this Medical Certificate which he relied on cannot be considered as sufficient document to accept his contention. Secondly it is the contention of the concerned workman that he gave due intimation to the management about the illness but in support of that claim also the concerned workman did not consider necessary to produce any document. Therefore, the plea taken by him is not at all acceptable. It is admitted fact that the

concerned workman remained himself absent from duty w.e.f. 16-2-99. As per procedure laid down in the Company's certified Standing Order it is obligatory on the part of any workman to get the leave sanctioned before he proceeds on leave. However, in case of exigency, it is fact that there is no scope to get the leave sanctioned. In that case responsibility is on the concerned workman to justify his claim that under which circumstances he was forced to remain on leave without getting the same sanctioned from the management. There was also no hindrance on the part of the concerned workman to give due intimation to the management when he fell ill and for that reason failed to attend his duty. But he has failed to perform his duty which was obligatory on his part. Accordingly in view of the facts and circumstances discussed above I should say that the concerned workman was on unauthorized leave and management was justified to issue chargesheet for committing misconduct on the ground of absentism under clause 26.1.1 of the Certified Standing Order. I, therefore, hold that management have been able to substantiate the charge against the concerned workman.

Now the point for consideration is whether the order of punishment issued against the concerned workman can be reviewed under Section 11 of the I.D. Act. Section 11A of the I.D. Act speaks as follows:—

“Where an industrial dispute relating to the discharge or dismissal of a workman has been referred to a Labour Court, Tribunal or National Tribunal for adjudication and, in the course of the adjudication proceedings, the Labour Court, Tribunal or National Tribunal, as the case may be, is satisfied that the order of discharge or dismissal was not justified, it may, by its award, set aside the order of discharge or dismissal and direct reinstatement of the workman on such terms and conditions if any, as it thinks fit, or give such other relief to the Workman including the award of any lesser punishment in lieu of discharge or dismissal as the circumstances of the case may require.”

Therefore, according to this provision it has to be looked into whether the order of dismissal issued against the concerned workman was justified and also proportionate to the misconduct committed by him. It is seen that the concerned workman started remaining himself absent from duty with effect from 16-2-99. The chargesheet marked as Ext. M-1 shows that it was issued to the concerned workman on 5-6-99 i.e. he remained on unauthorized leave from 16-2-99 to 5-6-99 i.e. for a period of about 3½ months approximately. Considering the chargesheet it transpires that management directed the concerned workman to submit his reply within 48 hours of receipt of the chargesheet. According to clause 27-1 of the certified Standing Order where a workman is charged with a misconduct which may lead to imposition of a minor penalty, he shall be informed in writing of the allegations

made against him and shall be given an opportunity to explain his conduct within 48 hours. On the contrary clause 27(2) relates to major penalty and it speaks that where a workman is charged with a misconduct which may lead to the imposition of a major penalty, he shall be informed in writing of the allegations against him and shall be given an opportunity to explain his conduct within a period of 7 days. Under clause 29. 1 of the Standing Order as minor penalty management is at liberty to impose (a) Censure, (b) Fine in accordance with the P.W. Act, 1936 or issue suspension order without wages as substantive punishment for not more than 10 days at a time whereas major penalties include stoppage of increment, reduction to a lower grade or post or a stage in a time scale or dismissal or discharge from service. By issuing chargesheet management allowed 48 hours time to the concerned workman to submit reply. Therefore, there is sufficient ground to hold that intention of the management was to impose minor penalty for the misconduct committed by him. Had that not been so the management would have definitely issued chargesheet giving 7 days time under clause 27(2) of the Certified Standing Order. In spite of taking lenient view it is seen based on the report of the Enquiry Officer, the Disciplinary Authority dismissed the concerned workman from his service which is absolutely arbitrary as because of the fact that for committing misconduct when 48 hours notice was given to the concerned workman under clause 27. 1 of the Certified Standing Order there was no scope at all to dismiss that workman from service under clause 29. 1 (ii). It has been submitted by the Ld. Advocate for the management that previous conduct of the concerned workman relating to his attendance was not satisfactory. Therefore, management was justified in dismissing the concerned workman from service. Submission made by the Ld. Advocate for the management cannot at all be supported on the ground that it was the management who in spite of knowing the conduct of the concerned workman issued a chargesheet directing him to submit his reply within 48 hours as per provision laid down under clause 27. 1 of the Certified Standing Order. Accordingly I find sufficient reason to hold that the order of dismissal issued against the concerned workman was not only unjustified but it was not proportionate to the misconduct committed by him. In view of the facts and circumstances discussed above I hold that the order of dismissal issued by the management is liable to be set aside based on the provision under Section 11A of the I.D. Act, 1947.

In the result, the following Award is rendered:—

"The action of the management of Amlabad Colliery of BCCL in dismissing Sri Ratilal Mahato is not justified. Accordingly the dismissal order issued against the concerned workman is hereby set aside. The concerned workman is entitled to be reinstated in his original post from the date of his dismissal but without any back wages. However, he will be entitled to get the continuity of his service."

Management is directed to implement the Award within three months from the date of its publication in the Gazette of India in the light of the observations made above.

B. BISWAS, Presiding Officer

नई दिल्ली, 16 फरवरी, 2006

का. आ. 993.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद-II के पंचाट (संदर्भ संख्या आई डी 119/96) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-2006 को प्राप्त हुआ था।

[सं. एल-20012/261/95-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 16th February, 2006

S.O. 993.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 119/96) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workmen, which was received by the Central Government on 15-2-2006.

[No. L-20012/261/95-IR (C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO.2) AT DHANBAD PRESENT

Presiding Officer : Shri B. Biswas

In the matter of an Industrial Dispute under Section
10(1)(d) of the I.D. Act, 1947

REFERENCE No. 119/96

PARTIES

Employers in relation to the management of Kusunda
Area No. 6 of M/s. BCCL and their workman

APPEARANCES

On behalf of the workman : Mr. C. Prasad,
Advocate

On behalf of the employers : Mr. D. K. Verma,
Advocate.

State : Jharkhand Industry : Coal

Dated. Dhanbad, the 12th January, 2006

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of

the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/261/95-IR(C-I), dated, the 26th September, 1996.

SCHEDULE

"Whether the demand by the Union that the management of Industry Colliery of M/s. BCCL has discriminated against Sh. Bipin Bihari Sinha at the time of promotion as Assistant Foreman Grade 'A' is justified? If so, to what relief is the concerned workman entitled?"

2. The case of the concerned workman according to Written Statement submitted by the sponsoring union on his behalf in brief is as follows:—

The sponsoring union submitted that the concerned workman Bipin Bihari Sinha was appointed to the post of Fitter in Industry Colliery on 9-11-76 in Cat. IV. He is Matriculate having training in I.T.I/M.M.T.I and also completed apprenticeship (Fitter) under the present management in the year 1975. They submitted that according to the Promotion Policy of the company the workmen are entitled to get promotion in their higher category as and when they completed 3 years of service in the grade and accordingly the concerned workman was liable to get promotion in Cat. V in 1979. They submitted that the concerned workman appeared before the D.P.C. in the year 1980 along with other workmen but management did not consider his promotion taking the plea of missing of DPC papers. Thereafter by Order Dt. 24-5-82 management gave him promotion in Cat. V i.e. after rendering complete 5 years of service in Cat. IV. Similarly management did not consider his promotion in Cat. VI after completion of his service of 3 years in Cat. V. On the contrary released his order of promotion in that Category i.e. Cat. VI by office order dt. 5-2-87. They submitted that one Shri Shyam Bahadur Singh got his promotion in Cat. VI from Cat. V in the garb of settlement arrived at between the management and the Joint General Secretary, RCMS vide letter dt. 16/17-1-87 and thereafter got his promotion as Asstt. Foreman Grade-C vide Order dt. 14/17-9-90. Similarly Md. Abbas was promoted from the post of Cat. VI to Asstt. Foreman in Grade 'C' vide order dt. 21-9-91. They alleged that the management promoted these two workmen i.e. Shri Shyam Bahadur Singh and Md. Abbas to higher category before they got their eligibility for promotion. The sponsoring union further alleged that by order dt. 11-9-96 management promoted the concerned workman to the post of Asstt. Foreman Mechanical Grade-C though he was very much fit to get his promotion to the post of Foreman Grade-A. They alleged that due to utter discriminative policy adopted by the management Shri Shyam Bahadur Singh and Md. Abbas get their promotion in higher grade though the concerned workman is senior in service in Grade and having higher qualification in comparison to those workmen. Accordingly the sponsoring union raised an industrial dispute for conciliation which ultimately resulted reference to this Tribunal for adjudication. The sponsoring union

accordingly submitted prayer to pass award directing the management of Industry Colliery to issue order of promotion in favour of the concerned workman in Foreman Grade-A with all consequential reliefs.

3. Management on the contrary after filing Written Statement-cum-rejoinder have denied all the claims and allegations which the sponsoring union asserted in the Written Statement submitted on behalf of the concerned workman.

They submitted that the sponsoring union has made wild allegations without any specific demand that the management have discriminated against the concerned workman at the time of considering his promotion. They submitted that the grade for Asstt. Foreman prescribed under Wage Board recommendations and NCWAs is 'C', that of Foreman in 'B' and that of Foreman incharge 'A'. The workmen of the collieries are governed by the Wage Board recommendation and NCWAs and it is difficult to imagine how Asstt. Foreman can get Grade 'A' under Wage Board recommendation and NCWA from Grade -C. They submitted that the concerned workman was appointed as Fitter in time-rated category IV on 18-11-76 and was promoted to Cat. V on 24-5-82. He was further promoted to Cat. VI w.e.f. 5-2-87 according to the cadre scheme and as per vacancy came into existence at the relevant time. They submitted that promotions effect to fill up the vacant post at a particular time if the candidate whose promotion is to be given is recommended by D.P.C. and also if any clear vacancy exists for the said post. They submitted further that Shri Shyam Bahadur Singh was promoted to Cat. VI w.e.f. 1-4-85 While Md. Abbas was promoted in the said Cat. w.e.f. 14-9-85. These two workmen were senior to the concerned workman at least by two years in Cat. VI and they were promoted to the post of Asstt. Foreman in Grade-C after completion of 6 years of service in Cat. VI. Accordingly question did not arise to promote those two workmen superseding the claim of the concerned workman as the concerned workman was junior to them. Accordingly they submitted that the claim of the sponsoring union is not at all genuine and justified and for which there is no scope to consider promotion of the concerned workman to Foreman Incharge in Grade-A directly from Asstt. Foreman Grade-C. Accordingly they submitted prayer to pass award rejecting the claim of the sponsoring union.

4. POINTS TO BE DECIDED

"Whether the demand by the Union that the management of Industry Colliery of M/s. BCCL has discriminated against Sh. Bipin Bihari Sinha at the time of promotion as Assistant Foreman Grade 'A' is justified? If so, to what relief is the concerned workman entitled?"

FINDING WITH REASONS

5. It transpires from the record that the Sponsoring Union with a view to substantiate their claim examined the

concerned workman as WW-1 while management in support of their claim examined one witness i.e. MW-1. Considering the evidence of both sides and also considering the relevant papers I find no dispute to hold that the concerned workman got his appointment as Mechanical Fitter Cat. IV on 9-11-76 vide office order marked as Ext. M-1. It is the contention of the concerned workman that management did not issue his promotional order in Cat. V after completion of 3 years of service in Cat. IV though he was Matriculate and passed ITI. He alleged that instead of giving his promotion after completion of three years of service in Cat. IV got his promotion in Cat. V in the year 1982 through D.P.C. He alleged that in the year 1980 a D.P.C. was formed and eligible workers appeared before the D.P.C. but the management did not give promotion to any worker taking the plea of missing papers of the D.P.C. and for which he had to consume 5½-6 years to get his promotion in Cat. V from Cat. IV. He disclosed that in the year 1987 he got his promotion in Cat. VI from Cat. V. He disclosed that Shri Shyam Bahadur Singh and Md. Abbas have got their promotion in Cat. VI prior to him and in support of his claim he relied on two office orders marked as Ext. W-1 and W-2. The office order marked as Ext. W-1 shows that Md. Abbas was promoted from the post of Cat. VI to Asstt. Foreman Grade -C w.e.f. 14-9-91 after completion of his six years service in Cat. VI while from the office order marked as Ext. W-2 it transpires that Shri Shyam Bahadur Singh also got his promotion to Grade -C from Cat. VI after completion of 6 years of service in Cat. VI w.e.f. 1-4-91 on the contrary the concerned workman got his promotion in Asstt. Foreman Grade -C from Cat. VI w.e.f. 11-9-98 vide office order marked as Ext. W-3. It is the specific contention of the concerned workman that Shyam Bahadur Singh and Md. Abbas are only illiterate persons without having any qualification which he possessed but have got their promotion in the post of Asstt. Foreman Grade -C prior to him before accruing their eligibility. The submission made by the concerned workman finds no basis if their promotional orders marked as Ext. W-1 and W-2 are taken into consideration. In the said two office orders it has been specifically mentioned that their promotion in the post of Asstt. Foreman/Grade-C from Cat. VI could not be considered due to non-completion of 6 years of service in that category as per cadre scheme. Management also issued promotional order to them in the said grade after completion of six years of service. Therefore, onus was on the sponsoring union to establish that those two workmen viz. Shyam Bahadur Singh and Md. Abbas were junior to him and knowing fully well of this fact management adopted discriminatory policy considering their promotion ignoring his promotion in the same Grade. It is seen that the promotional Order in the post of Asstt. Foreman Grade -C in respect of Md. Abbas and Shyam Bahadur Singh came into effect from 14-9-91 and 1-4-1991 respectively. The sponsoring union in course of hearing has failed to give any satisfactory explanation but they

raised an industrial dispute against such indiscriminatory attitude taken by the management for considering promotion of those two workmen ignoring the claim of the concerned workman. They have also failed to produce cogent papers that these two workmen are junior to the concerned workman. It has been admitted by the concerned workman in course of his cross-examination that as per cadre scheme the workmen in Cat. VI who are Matriculate and ITI passed are eligible to appear in D.P.C. after completion of 4 years of service but in case of non-matric workmen minimum 6 years of service are required for appearing before the D.P.C. to get their promotion as Asstt. Foreman Grade-C. He alleged that management promoted Shyam Bahadur Singh and Md. Abbas who are non-matric and without having any certificate of ITI got their promotion as Asstt. Foreman Grade-C only after completion of 5 years service. But the facts which the concerned workman asserted in his cross-examination finds no basis if the office orders marked as Ext. W-1 and W-2 are taken into consideration. These two office orders clearly speaks that they have got their promotion in the post of Asstt. Foreman Grade -C only after completing 6 years of service. MW-1 during his evidence disclosed that the concerned workman got his promotion in Cat. V and in Cat. VI after his name was recommended by the D.P.C. He further disclosed that the period is not the only essence of getting promotion in higher category in absence of vacancy. This witness disclosed that promotion from one category to other category depends upon two conditions viz. (1) vacancy and (2) eligibility as per cadre scheme. This witness further disclosed that promotion to Technical and Supervisory Grade-B is made from Technical and Supervisory Grade-C subject to availability of vacancy and recommendation of his name by the D.P.C. Similar process is followed also in case of Technical and Supervisory Grade-A for considering the promotion. MW-1 categorically disclosed that there is no scope at all and also there is no provision to get promotion in Technical and Supervisory Grade-A directly from Cat. VI. This witness also categorically submitted that Shyam Bahadur Singh and Md. Abbas were senior to the concerned workman and as such there was no question at all to provide promotion to them superseding the claim of the concerned workman.

Now considering the submission of the management It is clear that as per Wage Board recommendation and also as per NCWA specified period has been fixed for getting promotion from one category to another category. Untill and unless a workman fulfils that criteria he is not eligible at all to appear before the D.P.C. for consideration of his promotion. Another condition the management considered vital in considering promotion to higher grade is whether in the existing post where a workman is required to be promoted there is any vacancy or not. Representative of the management submitted that untill and unless any vacancy exists a workman inspite of completing the required

period in the post is not eligible to get his promotion to higher post. Therefore, it is clear that fulfilment of the term in the existing post is a gate way to place claim for his promotion to higher post but such claim only can be entertained by the management if his name is recommended by the D.P.C. and simultaneously if there remains clear vacancy in the said higher vacancy. Considering the evidence of both sides it is clear that the concerned workman while was Matriculate and I.T.I. passed Shyam Bahadur Singh and Md. Abbas were not matriculate and they did not have any certificate of I.T.I. It is clear from the submission of both sides that the yardstick for promotion in respect of educationally qualified worker is different from that of the workman who does not have sufficient educational qualification. Based on this fact it has been submitted by the management that promotion of Shyam Bahadur Singh and Md. Abbas in the post of Asstt. Foreman Grade -C were considered after completion of six years of service. The representative of the concerned workman submitted that when these two workmen have got their promotion in grade-C after completion of 6 years of service management did not consider promotion of the concerned workman in that grade even after the completion of six years of service though he was eligible to get promotion after completion of four years of service. Management did not deny this fact. In support of their claim submitted that there was no guarantee that a qualified workman immediately on completion of four years of service will be eligible to get his promotion in higher grade after completion of four years of service. They submitted that promotion to higher grade only can be considered if the name of that workman is recommended by the D.P.C. and also if there is any clear vacancy in the said higher grade. They further submitted that the concerned workman got his promotion to higher grade immediately the vacancy was available and his name was recommended by the D.P.C. Moreover they submitted that claim of the concerned workman cannot be equated with the claim of Shyam Bahadur Singh and Md. Abbas particularly when it is very much evident that they were sufficiently senior to the concerned workman. In course of hearing representative of the concerned workman disclosed that the management adopted discriminatory policy in giving promotion to the concerned workman to higher grade time to time but has failed to adduced any cogent evidence what discriminatory policy management adopted in considering his promotion. It is seen that the concerned workman got his promotion in Cat. V in the year 1985 and in Cat. VI in the year 1987 i.e. at an interval of 5 years. Each category though he accrued his eligibility by virtue of his rendering service in that category well ahead. Representative of the management in course of hearing has clearly assigned the reason under which circumstances there was no scope to provide promotion to the concerned workman in Cat. V as well as in Cat. VI at an early date. It is seen that over the said issue at that relevant time the concerned workman neither submitted any representation nor raised any industrial dispute for

causing delay in giving promotion by the management in Cat. V as well as in Cat. VI. Therefore, he has been estopped from agitating such claim at this stage. The sponsoring union on behalf of the concerned workman raised and industrial dispute for getting his promotion in the post of Foreman Grade-A. It is admitted fact that the concerned workman got his promotion in the post of Asstt. Foreman in Grade-C in the year 1996. It has been specifically submitted by the management that grade for Asstt. Foreman prescribed under Wage Board recommendation and NCWA is 'C' and that of Foreman in Grade-B and that of Foreman incharge is 'A'. Promotion in the post of Foreman Incharge is made from Grade -B i.e. from the post of Foreman. Accordingly Asstt. Foreman in Grade-C cannot place his promotion in grade-A i.e. in the post of Foreman Incharge by passing his promotion in Grade -B i.e. in the post of Foreman. The Wage Board and NCWA have clearly laid down the procedure in that regard. If this aspect is taken into consideration there is sufficient scope to arrive into conclusion that the concerned workman did not accrued his eligibility to get his promotion in the post of Foreman Incharge Grade-A from the post of Asstt. Foreman Grade-C. However, that claim though has been placed, the sponsoring union cannot avoid their responsibility to justify the same they have taken example of Shyam Bahadur Singh and Md. Abbas but such example cannot be taken as condition to claim promotion until and unless the sponsoring union proves that the concerned workman was victimised by the management and for which he did not get promotion in the post of Foreman Grade-A. It is to be borne in mind that mere claim cannot establish the right to get promotion in higher grade until and unless the same is substantiated by cogent evidence. I have carefully considered all materials on record and I have failed to find out an iota of evidence based on which there is scope to arrive into conclusion that management with utter negligence and adopting discriminatory policy ignored the promotion of the concerned workman. It is evident that whenever the name of the concerned workman was recommended by the D.P.C. he has got his promotion against clear vacancy. It is not expected that just by virtue of the period which a workman is required to attain to fulfill one of the conditions to get his promotion in higher grade cannot agitate to get his promotion in the higher grade in absence of any clear vacancy and also if his name is not recommended by the D.P.C. As the sponsoring union has failed to justify the claim of the concerned workman to get his promotion in Foreman Grade-A I find no cogent ground to give relief to the concerned workman. In view of his prayer. In the result, the following Award is rendered :

"The demand by the Union that the management of Industry Colliery of M/s. BCCL has discriminated against Sh. Bipin Bihari Sinha at the time of promotion as Assistant Foreman grade 'A' is not justified. Consequently, the concerned workman is not entitled to get any relief."

B. BISWAS, Presiding Officer.

नई दिल्ली, 16 फरवरी, 2006

का. आ. 994.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन एयर लाइंस लि. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, मुम्बई-1 के पंचाट (संदर्भ संख्या 28/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-02-2006 को प्राप्त हुआ था।

[सं. एल-11012/50/99-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 16th February, 2006

S.O. 994.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 28/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Mumbai-I now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Indian Airlines Ltd. and their workman, which was received by the Central Government on 15-02-2006.

[No. L-11012/50/99-IR(C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 MUMBAI

PRESENT:

Justice Ghanshyam Dass, Presiding Officer

Reference No. CGIT-28 of 2000

PARTIES:

Employers in relation to the management of M/s.
Indian Airlines

AND

Indian Airlines Karmachari Sangh

APPEARANCES:

For the Management : Mr. S.M. Dixit, Advocate
Mrs. Chhaya Gupta, Adv.
Mrs. Madhavi Dass, Adv.

For the Workmen : Shri. J.P. Singh, Secretary,
Indian Airlines Karmachari
Sangh.

State : Maharashtra

Mumbai, dated the 1st day of February, 2006.

AWARD

1. This is a reference made by the Central Government in exercise of its powers under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (the Act for short). Vide

Government of India, Ministry of Labour, New Delhi, Order No. L-11012/50/99-IR(C-1) dated 30-5-2000. The terms of reference given in the schedule are as follows:

"Whether the thirty five workmen given in the list are entitled to the benefit regularization/permanency by M/s. Indian Airlines Ltd. with consequential benefits?"

2. The matter relates to 35 workmen who are members of Indian Airlines Karmachari Sangh registered under the Trade Union Act, 1926 which is affiliated to Bhartiya Mazdoor Sangh a Federation of Trade Union registered under the Trade Union Act, 1926. The dispute is contested by Indian Airlines Karmachari Sangh (hereinafter referred to as the "Sangh"). The workmen are employed by the Indian Airlines (hereinafter referred to as the "Company") as loaders/helpers in different departments on temporary basis at Dabholin Airport at Goa. The Company has been employing the workmen on temporary basis for years together. The workmen have worked for more than 240 days with the Company. They are in continuous appointment for more than 5 years. The nature of work of loading is of perennial nature and inspite of regular working of the workmen, the Company has not made the workmen permanent. The demand letter was submitted by the "Sangh" on 27-11-1998. The Sangh approached the Assistant Labour Commissioner for the aforesaid demand. The concerned Labour Commissioner (Central) informed the Company and the Company filed the reply asserting that the workmen were engaged on casual daily rated basis to meet certain contingencies and that they had not worked for 240 days in a year. Initial demand was in respect of 32 workmen and later on additional charter of demand in respect of 3 more employees was submitted on 15-4-1999. The payment of salary was made through voucher. The Conciliation failed with a result failure report was submitted by the concerned Assistant Labour Commissioner. The Central Government of India chose not to make any reference of the dispute with the result, the Sangh had to file a writ petition No. 151 of 2000 before the Bombay High Court. The writ petition was allowed and the Government was directed to make the reference. It is how this reference has been made to this Tribunal.

3. It is contended on behalf of the workmen that the action of the Company in not regularizing the services of the workmen is contrary to the provisions of the Constitution of India. It is alleged that in view of the expansion activities of the Company it is difficult to believe that the Company does not require the services of the workmen. In fact, there is a regular availability of work and the Company is employing regularly the workmen for the same. The Company is denying the need of the present workmen on one side and is employing other workmen to cope with the work on the other side. The conduct of the Management of the Company is in

violation to the provisions of the Industrial Disputes Act, 1947.

4. The Company filed the written statement and denied the allegations of the workmen. The Company asserted that it was established by a Act of Parliament, viz. Air Corporation Act, 1953 to provide safe, efficient, adequate, economical and properly co-ordinated air traffic service whether internal or international both. The Company has got permanent work force to carry out the activities with a full fledged Industrial Engineering Division to assess man power requirement based on established work norms. The recruitment to fill up regular and permanent vacancies is governed by the Recruitment and Promotion Rules. The deployment of casual daily rated employees is resorted, to in view of the peculiarities of the airline industry and to meet contingencies and unforeseen circumstances such as clash of flights, delays and disruptions, absenteeism among regular and permanent workmen, ground handling of Cargo freighters and tourist charters, BSF, Air Force and VVIP flights and diverted flights etc. The workmen under reference were employed as daily rated casual employees. It was open to them not to report to work on any day. Thus, they cannot be equated with regular workmen nor they can claim regularization of service. The reference is also made by the Company to the direction given by the Honourable Prime Minister in 1992 to effect 10% cut in the Staff strength and also to the report of the Vth Pay Commission in this respect. The reference is also made to the report of the Kelkar Committee and the action taken by the Company for the restructuring the Company in lieu of the loss suffered by the Company on account of competition in the market from the private airlines. It is submitted that casual daily rated employee is offered employment by the Company subject to availability of work on each day to those persons who are willing to make themselves available for work. Their employment begins with the day and ends with the day. There is no question of any regularization or termination of the services of the workmen. The workmen under reference have not worked for 240 days and hence they cannot claim under the law for regularization.

5. The learned predecessor in office framed the following issues on 08-2-2002.

- a. Whether the 35 workmen in respect of whom, this reference is made were working as helpers/loaders with the Indian Airlines as casual/temporary workers for about 5 years?
- b. Whether the Indian Airlines committed unfair labour practice by not regularizing the workmen in service or making them permanent?
- c. Whether the aforesaid workmen are entitled to be regularized or made permanent by an award passed by this Tribunal in accordance with the law?

6. The parties have filed certain documents and have also led oral evidence. The workmen filed the affidavit of Mr. Prashant Vishwanath Sawant in lieu of his examination in chief, being the active member of the Sangh. He has filed his authority on behalf of the Sangh. He has been cross-examined by the learned counsel for the Company. The Company filed the affidavit of Shri. R. A. Kamath, Officiating Dy. General Manager (Personnel) of the Company in lieu of his examination in chief. He has also been cross-examined on behalf of the Sangh. The parties have filed written submissions which form part of record.

7. I have heard the parties orally at length. I have gone through the entire record.

8. The learned counsel for the Company has placed before me the orders passed by the various High Courts and Honourable Supreme Court in the following cases:

- a. Writ Petition No. 374 of 1996 Rajan Pundalik Pawar Vs. IAL—High Court of Bombay dated 3-6-1996.
- b. Writ Petition No. 374 of 1996 Rajan Pundalik Pawar Vs. IAL—High Court of Bombay dated 31-7-1998.
- c. Writ Petition No. 374 of 1996 Rajan Pundalik Pawar Vs. IAL—High Court of Bombay dated 16-10-2001.
- d. Supreme Court—Municipal Corporation Vs. Veer Singh Rajput—(1998) 9 SCC.
- e. Madras High Court—Asservadham and Ors. Vs IAL.
- f. 1999 (6) SCC 101—IAL Vs. Samresh Bhowmick & Ors.
- g. Madras High Court—Indian Airlines Canteen Workers Union Vs. IAL.
- h. Supreme Court—Phani Bhusan Dutta Vs. IAL & Ors.
- i. Calcutta High Court—Phani Busan Dutta Vs. IAL & Ors. (which was confirmed by Supreme Court supra)
- j. AIR 1992 SC 2130—State of Haryana Vs. Piara Singh
- k. 1994 SC 1638—Madhyamik Shiksha Parishad, UP Vs. Anil Kumar Mishra.
- l. 1995 Supp (4) SCC 69—Union of India Vs. Pradeep Kumar Saxena.
- m. (1997) 3 Supreme Court Cases 633—State of Haryana Vs. Surinder Kumar & Ors.
9. The Sangh has filed the copies of judgements of following four cases and also the copy of Constitution of Indian Airlines Karmachari Sangh.
 - i. Award Copy CGIT Ref. No. 2/27 of 1992 Award passed on dated 30th June, 1995 between Indian Airlines Bombay and their workman.

- ii. Award copy CGIT, New Delhi Industrial Dispute between "Life Insurance Corporation of India" and their workman.
 - iii. Reported In CLR 2002 CLR 743 in the High Court of Judicature of Bombay September 25, 2002 Civil Appellate side writ petition No.1869 of 1996 "Saudi Arabin Airlines" and their workman.
 - iv. Reported In CLR 2003 CLR 233 the Supreme Court of India March 31, 2003 Civil Appeal No. 1239-1244 of 2001 with Civil Appeal No. 1245-1248 of 2001. S.M. Nicajkar and Ors. Vs. Telecom District Manager, Karnataka.
10. The instant reference is not a new of its kind. In fact, several writ petitions had earlier been moved in different Court of CGIT, High Court and Supreme Court by the daily rated casual employees against the Indian Airlines from time to time and almost same type of orders have been passed with the direction of regularization of the daily rated employees with certain directions etc. In this respect both the parties have filed copies of the citations and this situation is not disputed.
11. The first case in this respect is of Rajan Pundalik Pawar against Indian Airlines vide W.P. No. 374 of 1996 before the Honourable High Court of Bombay in which consent order was passed on 03-6-1996. The consent order reads as follows :
1. *Indian Airlines Ltd. shall form a pool of all casual employees who fulfill the eligibility criteria and have been engaged in the last 3 years i.e. from 1-1-1993. No casual employees who is in the panel shall be replaced by any other casual employee who is not in the pool. Casual employment will be given to those placed in the pool on rotation basis, subject to availability of work.*
 2. *Indian Airlines Ltd. shall endeavour to replace the casual employees by permanent employees. The casual employees who are in the pool shall be considered for permanent employment on a fair basis, under the Recruitment and Promotion Rules of the Indian Airlines.*
 3. *No casual employee shall claim permanency on the basis of having worked pursuant to the present order.*
 4. *Indian Airlines Ltd. shall not be bound to offer work to all the casual employees on all the days.*
 5. *Indian Airlines Ltd. shall not be bound to offer any employment to any casual employee who is irregular in his attendance, fails to accept work when offered or is unsuitable for regular employment.*
12. Thereafter, further following order in the aforesaid writ petition was passed by the Honourable High Court on 31-7-1998.

"The 1st Respondent shall complete the implementation of the order dated 3rd June, 1996 within a period of one year from today. No vacancies of concerned categories, arising henceforth, shall be filled otherwise than from the pool of casual employees formed and, that too, shall be done strictly in accordance with strict seniority, seniority being reckoned from the first date of employment.

Since grievance is made that things are not above board in selecting the employees for permanency, at every stage the 1st Respondent shall display a notice giving full particulars of the casual employees who are being made permanent, so that other employees would be in the know as to how it is being done.

Notice of Motion made absolute in the foregoing terms. No order as to costs.

Liberty to the 1st Respondent to move the Court and satisfy it with facts and figures as to why they could not comply with the order within the time limit given."

13. The aforesaid writ petition was finally disposed of by the Honourable High Court of Bombay on 16-10-2001 by passing the following order :

"Respondent No. 1 shall frame scheme for regularization of the workers listed in the Petition broadly in terms of the scheme marked "X" for identification purposes. However, Respondent No. 1 before framing the scheme finally shall assess the requirement of regular work force in its different Departments in Western Region, particularly, the Departments in which the workers listed in the present writ petition have been engaged and also the necessity for alleviation of the suffering of those workers have been subjected to during all these years and fix the strength of work force so that the workers concerned are able to get the benefit of regular service within reasonable time. We observe that final scheme shall be framed by Respondent No. 1 within six months from today. Needless to say that the absorption of the workers listed in the Petition in regular service shall be subject to fulfillment of conditions of eligible qualification with relaxation of the age prescribed under the Rules. We further observe that till the scheme is framed, the interim order passed by this Court on 3rd June, 1996 shall continue to remain operative.

14. In the case of Municipal Corporation Vs. Veer Singh Rajput—(1998) 9 SCC the Honourable Supreme Court while dealing with the case of daily rated workers against Municipal Corporation directed the Municipal Corporation to consider the said retrenched persons on daily wages in preference to others by waiving the age bar if necessary, provided they were otherwise qualified and eligible for the post.

15. The Honourable High Court of Madras while deciding a number of writ appeals No. 808, 861, 895, 916, 951, 955, 1435, 1450 and 1988 of 2000 and writ petitions

No. 4103 to 4105, 4207 to 4209, 5170, 5171 of 2000 preferred by the daily rated casual employees against the Indian Airlines, quoted down the scheme for regularization as laid down by the Honourable Supreme Court in the case of Indian Airlines Ltd. v/s. Samaresh Bhowmick (1999) 6 SCC 101—and upheld the scheme for regularization passed by the learned single Judge in the aforesaid writ petitions with a direction that for the purpose of consideration, workers who have put in a minimum of 90 days service in a year from 1991 would be eligible. In the case of Indian Airlines Ltd. v/s. Shamresh Bhowmick and others (1999) 6 Supreme Court cases 101 the Honourable Supreme Court had approved the scheme of regularization for daily rated casual employees working as Helpers in Commercial, Engineering, Stores, Ground Support, Catering Canteens and Peons.

16. The Honourable High Court of Madras while deciding so many writ petitions on 20-4-2000 filed by the casual employees against the Indian Airlines Ltd. relied upon the judgment of the Bombay High Court in W.P.No. 374 of 1996, directed the Management of Indian Airlines to file a scheme for regularization. Such a scheme was filed by the General Manager of Indian Airlines and the same was accepted by the Honourable High Court and the writ petitions were accordingly dismissed. This judgment of Honourable High Court of Madras was challenged before the Honourable Supreme Court by filing a Special Leave to Appeal (Civil) 1877 of 1998 and the Honourable Supreme Court was pleased to dismiss the Special Leave Petition.

17. The CGIT-II, Mumbai while deciding Ref. No. CGIT-II/27 of 1992 in between Indian Airlines Ltd. Mumbai v/s. Their workmen on 306/1995 passed the following award:

1. *The Management is directed to prepare a list of workers shown in Annexure II & III (Ex. '16') on the basis of the first appointment excluding the persons already appointed.*
2. *The Management is to consider the suitability of these persons for appointment on regular basis leaving aside the criteria of age.*
3. *The Management is directed to absorb all these persons (as per para 2 above) within a year from today as per the seniority list. (as per para one above).*
4. *So far as the claims of other workers who are not in the Schedule II & III deem to be rejected.*
5. *The Indian Airlines, Mumbai is fined to pay Rs.1000 for practicing unfair labour practice under Section 25(u) of the Industrial Disputes Act, 1947.*

18. In AIR 1992 Supreme Court 2130 State of Haryana vs. Piara Singh, the Honourable Supreme Court did not approve the blanket regularization of the workers and

adhoc employees who had put in one year service since it created a problem of wholesome regularization. It however, directed the Government to take care of temporary and adhoc employees and form a scheme for regularization for those adhoc appointees continued for fairly long spell.

19. The learned counsel for the Company placed before me 1994 SC 1638 Madhyamik Shiksha Parishad, UP vs. Anil Kumar Misra, 1995 Supp (4) SCC 69—Union of India vs. Pradeep Kumar Saxena and (1997) 3 Supreme Court cases 633 State of Haryana vs. Surinder Kumar and Ors. These three rulings to my mind are not available to the help of the Company since they related to Ad-hoc appointments in other departments of Government.

20. The facts of the instant reference are not much in dispute since it is the admitted position that the workmen had been the casual employees of the Company and they were being employed as and when the need arose. The dispute is about the number of days for which the particular employee worked with the Company. The specific assertion of the Sangh from the very beginning when the demand was raised for regularization and matter was put before the concerned Conciliation Officer that all the workmen had worked for more than 240 days in a year. The Company denied to this but no reliable evidence is being placed on record either before the Conciliation Officer or before this Tribunal to rebut the assertion of the Sangh that the workmen worked for more than 240 days. The Company filed the evidence before this Tribunal to show that the workmen did not work for 240 days by filing a chart in this respect but the same is not acceptable in toto more so in view of the admission made by Shri M. A. Kamath, Dy. General Manager (Personnel) whereby he stated that *There are no rules for employment of casual employment. There are Administrative instructions. The instructions are issued from the Headquarters of the Indian Airlines. The Regional Headquarters also issue instruction. I have not produced any administrative instruction regarding the deployment of casual employee. We have register in which we have enter the name of the workman who are working as casual employee. The casual employee report to the hiring Officer. Thereafter, according to the exigency of circumstances and requirement of the airline, the casual worker are deployed. Care is taken to see that as far as possible the workman was given the job on previous day is taken back for the work on the next day. We do not maintain a register showing that on a particular day how many person have reported for work and deploy them as far as possible for 90 days continuously. After 90 days the Indian Airlines does not employ the same person on the 91st day if other persons are available for work. The preference is given to the other person. This procedure is adopted because the Headquarters has instructed us not to employ a person beyond 90 days if possible. Those instructions have not been produced before this Tribunal.*

21. Mr. Kamath also admitted that he maintained Attendance register showing the workmen who worked for half day or full day. The Attendance register is not produced before the Tribunal. The payment of wages is made in cash to the workmen. The mode of payment through vouchers was also there. The temporary permits are issued to the workers for working with the Airlines. He specifically stated that we do not employ person ordinarily for more than 90 days in a period of 12 months.

22. In view of the evidence available on record, it may be safely concluded that all the workmen in the reference had not worked for more than 240 days in a year but this much is very very clear that each of the workmen had worked for more than 90 days in a year and hence each one of them is to be considered for regularization in view of the case of Sharmesh Bhowmick (supra). All the objections which have been raised in the instant reference had been raised earlier in almost all the cases referred to above before High Courts and the final order for consideration of regularization after forming a pool and scheme for it had been passed therein. Thus, the objections raised by the Company in the instant reference lose their importance.

23. The material development has taken place in this case, since the workmen raised the instant industrial dispute each one of the workman has been deprived of the work. The workmen have not been taken on duty after the instant reference. This factual position is admitted. The learned counsel for the Company on being asked to explain it, submitted vehemently that the workmen did not report for duty and did not make themselves available for work and hence they were not taken on duty. To my mind, the explanation is wholly unconceivable. It is difficult to swallow that the contesting workmen did not reports for duty and hence they were not giving any duty by the Company. The reason appears to be obvious that the Company got unhappy on account of raising of industrial dispute and for that reason did not allow them to work even for a day after the reference. This appears to be a noble device and calculated strategy to remove the workmen from service on the part of the Company. It amounts to be a case of termination of services though there is no written order for it. The legal position is clear that such type of removal from service amounts to retrenchment under the Industrial Disputes Act which cannot be appreciated being within the purview of unfair labour practice punishable under Section 25-U of the Act.

24. It may also be observed that the Company has submitted scheme for regularization before the High Courts but there does not appear to be earnest desire and urge on the part of the Management of Company to implement the said scheme in true spirit since the matter is hanging for the last several years and Company is still contesting the cases tooth and nail for no use.

CONCLUSION:

25. Keeping in mind, the entire evidence on record and the discussions made above, I conclude all the three issues framed in this reference in favour of the workmen to the extent that all the workmen under reference are entitled to be considered for regular work subject to their suitability leaving aside the criteria of age bar and that they shall be absorbed on a permanent basis and as when opportunity arises on the availability of the vacancies in the permanent cadre. The workmen are not entitled to any other relief at this juncture. The compliance of the order be made by the Company within a period of four months from today positively.

26. The reference is accordingly answered.

Justice Ghanshyam Dass, Presiding Officer

नई दिल्ली, 16 फरवरी, 2006

का. आ. 995.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.पी.सी.एल.के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, मुम्बई-1 के पंचाट (संदर्भ संख्या 06/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-02-2006 को प्राप्त हुआ था।

[सं. एल-30012/62/97-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 16th February, 2006

S.O. 995.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 06/1999) of the Central Government Industrial Tribunal/Labour Court, Mumbai-I now as shown in the Annexure. in the Industrial Dispute between the employers in relation to the management of BPCL and their workman, which was received by the Central Government on 15-02-2006.

[No. L-30012/62/97-IR(C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

PRESENT:

JUSTICE GHANSHYAM DASS, Presiding Officer

Reference No. CGIT 06 of 1999

PARTIES:

Employers in relation to the management of
M/s. Bharat Petroleum Corporation Ltd..

AND

Their Workmen

APPEARANCES:

For the Management : Mr. R.S. Pai, Advocate
 For the workman : Mr. Abhay Kulkarni, Advocate
 State : Maharashtra

Mumbai, dated the 3rd day of February, 2006

AWARD

1. This is a reference made by the Central Government in exercise of its powers under clause (d) of sub-section 1 and sub-section 2A of Section 10 of the Industrial Disputes Act, 1947 (the Act for short). Vide Government of India, Ministry of Labour, New Delhi, Order No. L-30012/62/97-IR(B-1) dated 07/1/1999. The terms of reference given in the schedule are, as follows :

“क्या बी.पी.सी.एल. द्वारा श्री सोमनाथ वामन यादव को सेवा से बर्खास्त किया जाना विधिवत एवं न्यायसंगत है ? यदि नहीं तो वे किस राहत के पात्र हैं ?”

2. Mr. Somnath Yadav, working as a Watchman with Bharat Petroleum Corporation Ltd. (hereinafter referred to as “Corporation”) has been dismissed from service w.e.f. 9/8/1984 after holding a departmental enquiry for misconduct.

3. The contention of the workman is that the domestic enquiry had not been just and fair and that the principle of natural justice had not been followed. The Industrial Dispute had been raised since the Corporation dismissed the workman illegally and moved an Approval application under Section 33(2)(b) of the Industrial Disputes Act, 1947 (hereinafter to as the “Act” which was allowed by the CGIT-2 vide Approval of Application No. CGIT-2/04 vide judgement dated 2/6/1995. The Conciliation failed before the concerned Conciliation Officer. The failure report was submitted to the Government which led to the making of the instant reference by the Central Government.

4. The contention of the Corporation is that the dismissal has been in accordance with law after holding the full fledged domestic enquiry according to law. It is also submitted that the Approval Application has been granted by the Competent Court of CGIT-2 of Bombay after full contest and hearing of both the parties. The judgement of the Approval Application amounts to resjudicata.

5. The objection of the Corporation that the judgement of the Approval Application amounts to resjudicata has already been repelled by this Tribunal vide order dated 10/4/2006. Hence, this objection does not have any legal sanctity at this juncture.

6. The controversy which is to be decided first is to as to whether the domestic enquiry is fair and proper. The workman filed his own affidavit in lieu of his examination in chief in support of his case and he has been cross-examined by the learned counsel for the Corporation.

7. The Corporation filed the affidavit of Shri Narayan Rao Vankina working as Deputy General Manager with the Corporation in lieu of his examination-in-chief and he has been cross-examined by the learned counsel for the workman. He was appointed as the Enquiry Officer in this case vide letter dated 2/8/1992 and he held a domestic enquiry which was duly contested by the workman along with his defence representative Mr. P.S. Sawant, Vice-President of Maharashtra General Kamgar Union through whom the present industrial dispute and the reference has been contested. The Enquiry Officer has proved the enquiry proceedings and all the documents filed before it and relied upon while submitting the enquiry report. The enquiry proceedings contains 1 to 166 pages. The enquiry report (page 167 to 177) was submitted to the Competent Authority. The enquiry was in accordance with the Standing Orders. The dismissal order has been passed by the Competent Authority.

8. Both the parties have filed the written submissions and I have heard them orally also. The workman has challenged the enquiry firstly on the ground of falsity and perversity of the charge-sheet. The charge-sheet dated 19/8/1992 issued to the workman reads as under :

SUB: YOURSELF: CHARGE SHEET

It is reported to me as under :

On 7/8/1992, you were on duty in the 3rd shift from 23.30 hrs. of 7-8-92 to 07/30 hrs. On 8-8-92 and were posted at the ‘C’ Installation main gate. At About 1.45 hrs. on 8-8-92, Shri D.D. Shinde, Operations Officer and Shift-in-charge in the 3rd shift, came to ‘C’ Installation along with Shri B.L. Wagre, Watchman Naik for conducting security check.

Shri Shinde entered the ‘C’ Installation followed by Shri, Wagre Security Naik on duty. Shri Shinde asked you as to where the 2nd watchman in the ‘C’ Installation was to which you indicated by your hand that he was somewhere in the rear side. After Shri Shinde walked a distance inside the Installation, he looked back and noticed Shri Wagre and you were involved in a conversation and thereafter Shri Wagre entered the Watchman’s cabin at the ‘C’ gate and you moved towards Shri Shinde. As Shri Shinde could not see the 2nd Watchman in the direction indicated by you, he asked you once again about him to which you replied

“पाठीमाणे कोणीतरी आदे तरी तिकडे जा”

As indicated by you, Shri Shinde moved further towards the grease barrel shed. As he was walking, he felt that someone was following him and on looking back, he saw that you had left your post at the ‘C’ gate and were following and catching up with him. As Shri Shinde reached near the grease barrel shed, you without any provocation assaulted Shri Shinde by fisting on his eye and nose/body, as a result of grievous injuries to his

person and breaking of one tooth. While assaulting Shri Shinde, You said"

“तू आज झूटी सोपणाच्या वाचमनला पकडतोस काय ! त्याचा रिपोर्ट करतोस काय ! केल्या पैघरा वर्चत आमचा कोणी रिपोर्ट केला नाही आणि तू दोन मदिन्यात आमच्या दहा वाचमनना ओपताना पकडलास. बोल पुन्हा असे करील काय ? ”

Shri Shinde was loudly and continuously crying for help and pleading mercy from you and begging that you should not beat him anymore. You however, continued to constantly kick and assault Shri Shinde and forcibly extracted assurances from Shri Shinde that he would not in future report against the watchmen to the higher authorities. As Shri Shinde was attempting to stand up, you pulled him by his collar and threatened him as under :

ही शिक्षा भी तुला दहा वाचमनना ओपताना पकडून रिपोर्ट केल्याबद्दल देत आहे. याद रख शिंदे येथून पुढे तू विचार करू नको. मी माझ्या दप्तर लोकांसाठी माझे आकुष्य खर्ची धालीन पण तुला पिघवत सोडणार नाही. जर या गोष्टीचा रिपोर्ट पोलीस मदचे किंवा वरिष्ठांन केलास तर मी जाईनच पण मी तुला सांडणार नाही. मी मरात्याचा भगीदर तुला मारना मरने आता तू माझा रात्र आणखी वाढारयाच आत गेरच्या बाहेर चालता हो आणि विचार करून निर्णय घे.”

You then dragged Shri Shinde to the gate and pushed him out of the gate of 'C' Installation. The above act on your part tantamount to grave and serious misconduct. If proved, and you are charged with the following :

- (a) *Riotous, disorderly and indecent behaviour while on duty on the premises of the Installation.*
- (b) *Commission of an act subversive of discipline or good behaviour on the Company premises.*

An enquiry into the above charges will be conducted by Sri V. Narayana Rao on 03-9-1992 at 1000 hrs. at Sewree Benzine Installation when you are required to be present. You may bring a fellow workman to assist you in your defence. If, You so desire and produce such documents and/or witnesses as have a bearing on the charge.

If you fail to attend or having attended do not participate in the above enquiry, it will proceed ex parte.

Meanwhile, if you so desire, you may submit your explanation in writing to the undersigned within 7 days of receipt of this letter by you.

As advised by our letter SEW : 103 :CON dated 10-8-92, please note that you continue to be on suspension pending enquiry in the above alleged

misconduct on your part and will be paid subsistence allowance as per applicable rules."

9. I feel that all the points raised in the written submissions have no force. It is a case of assault by the workman upon Mr. Shinde who was Operation Officer, Shift in charge of the 3rd shift and as such visited "C" Installation along with Mr. R.L. Waghare, Watchman Naik for conducting check on the night of 07-8-92. It is submitted by the workman that he was not one of 10 watchman against whom Mr. Shinde had earlier submitted his report about the dereliction of duty. It is submitted that it does not appeal to sense that the workman would all of sudden make a assault upon Mr. Shinde when he had a clean past record of service and never indulged in any unwanted situation. It is not probable that the workman would thereby put his livelihood in jeopardy. To my mind, all these things cannot be a ground of attack. One cannot read the mind of a particular person at a particular time. It cannot be said as to under what circumstance and as to under what provocation, the workman acted in the instant case which led to assault upon Mr. Shinde. No doubt, the charge sheet has been issued under clause 28 (5) Certified Standing Order for assault but a charge sheet has been issued for misconduct under clause 28 for creating :

- (a) *Riotous, disorderly and indecent behaviour while on duty on the premises of the Installation.*
- (b) *Commission of an act subversive of discipline or good behaviour on the Company premises.*

I do not feel that non-mentioning of the issuance of the charge sheet under clause 28(5) of Certified Standing Orders makes the charge sheet perverse and false. The non-production of Mr. Waghare would be dealt later on.

10. The next ground of attack is that there has been a violation of principle of natural justice. It is firstly submitted that the enquiry proceedings has been conducted in English and it was declared as such by the Enquiry Officer on 15-9-1992. It is submitted that the workman who is illiterate person do not know English and he simply knew Marathi or Hindi. I have gone through the entire material on this point and I do not find anything wrong in it nor I find that any prejudice has been caused to the workman. In fact, the workman contested the enquiry along with his defence representative. In fact, the workman had agreed for the conduction of the enquiry in English. In the case of Ravindra Umesh Gokarna & Ors. v/s. GKW Ltd. and Ors. 1992 (1) CLR page 792 (Bom), the Honourable Bombay High Court considered the question raised in the domestic enquiry in which the proceedings were recorded in English and held that the enquiry could not be said to be vitiated on that account.

11. It is next submitted that the Enquiry Officer took on record certain documents presented by the

Presenting Officer, the authors of which were not examined. It is submitted that the medical certificate should have been got authenticated by examining the Doctor. Certain error is pointed out in the date mentioned by the Doctor below the signature. I feel that this is an inadvertent mistake and this does not falsify the entire medical report nor it can be inferred that the medical report is fabricated document. It is further submitted that the defence representative had demanded the copies of certain filed documents but the Enquiry Officer gave a ruling that he would decide the enquiry on the basis of the documents presented before it by the Presenting Officer. I do not find anything wrong in it. The enquiry had been contested fully by the workman along with his defence representative on each and every date and I do not find any material for holding the violation of principle of natural justice.

12. The next ground of attack is about the perversity in the enquiry report and the findings. It is submitted that the enquiry is based mainly on the evidence of Mr. Shinde which does not get corroboration from any other evidence. In fact, Mr. Waghare who was admittedly present at the time of the incident and was a star witness in this case has not been examined before the Enquiry Officer. I do feel that Mr. Waghare should have been examined before the Enquiry Officer but non-examination does not make the enquiry report perverse. The law is settled that enquiry report is to be based on the pre-ponderance of probability. The law is also settled that the strict proof of charge as required under the Criminal Procedure Code before the Criminal Court is not required before the Enquiry Officer. It has only to be seen as to whether the enquiry report is based on sufficient evidence on record or on "No evidence". The enquiry report is not to be set aside even if a different conclusion may be possible by different person. The perusal of the enquiry proceedings goes to show that there is sufficient evidence of main witness Mr. Shinde who was actually assaulted by his subordinate watchman at the time of check in the dead hours of night. What instigated the watchman for making the assault upon his superior can be best said by the workman himself and not by the victim. Certain omissions of contradictions available in the evidence do not materially affect the result of the enquiry. Non-submission of the report in writing by Mr. Shinde to the Management of the Corporation does not make the incident false or unbelievable. In fact, there had been a police report in this case for which the investigation was made by the Police and the charge sheet was submitted. No doubt, a trial which took place before the Competent Court of Additional Chief Metropolitan Magistrate, Vth Court, case No. 857/P/92, vide Judgment and Order dated 21-3-1997 ended in acquittal; but it does not help the workman at all. The order of acquittal passed by the Criminal Court does not have any bearing upon the result

of the domestic enquiry nor it helps in showing that the domestic enquiry report may not be accepted.

13. It may be mentioned that the Honourable Supreme Court in the case of Management of Krishnakali Tea Estate Vs. Akhil Bharatiya Chah Mazdoor Sangh & Anr. 2004 III CLR page 755 held that acquittal by Criminal Court has no bearing on the enquiry proceedings. The Criminal proceedings and the disciplinary proceedings are altogether distinct and different. The acquittal of the workman in a criminal trial does not affect the departmental enquiry.

14. As mentioned earlier, the Industrial Court is only required to see as to whether the findings of the Enquiry Officer are based on evidence on record although it has the power to differ from the conclusion of the Enquiry Officer even if the enquiry is found to be just and fair. In the instant case, I find that there is no sufficient evidence available on record on the basis of which the Enquiry Officer rightly concluded that the charge of misconduct was made out against the workman. The judgment of CGIT-2, Mumbai in the Approval application does not operate as res judicata but I feel that it is a good circumstance in favour of the Corporation in the instant case for the reason that the Approval application under section 33(2)(b) of the Act was granted by CGIT-2 Mumbai, after full contest by the parties and taking into account all the facts and circumstances.

15. On a consideration of the entire record I conclude that there is no material to conclude that the enquiry proceedings have not been drawn in a just and fair manner. There is nothing to show the violation of principle of natural justice nor there is anything to show any perversity either in the findings of the Enquiry Officer or in the enquiry proceedings. The Enquiry Officer conducted the enquiry in presence of the workman who actually availed full opportunity to defend himself on each and every date throughout the enquiry along with his defence representative.

16. The report of the Enquiry Officer was considered by the Competent Authority. The show cause notice was issued to the workman. The punishment order has been passed in accordance with law by the Competent Authority. The punishment of dismissal cannot be said to be shockingly disproportionate/or harsh in view of the charge of assault upon the Senior Officer by a subordinate employee.

17. **Conclusion :** The dismissal of workman Mr. Somnath Yadav by the Corporation is held to be justified and hence, the workman is not entitled to any relief.

18. The reference is answered accordingly.

JUSTICE GHANSHYAM DASS, Presiding Officer

नई दिल्ली, 17 फरवरी, 2006

का. आ. 996.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कन्सल्टन्सी डेवलपमेन्ट सेन्टर के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं०-II, नई दिल्ली के पंचाट (संदर्भ संख्या 11/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-2-2006 को प्राप्त हुआ था।

[सं. एल-42012/172/99-आई आर (सी यू)]

बी.एम. डेविड, अपर सचिव

New Delhi, the 17th February, 2006

S.O. 996.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 11/2000) of the Central Government Industrial Tribunal-cum-Labour Court No. II, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Consultancy Development Centre and their workman, which was received by the Central Government on 17-2-2006.

[No. L-42012/172/99-IR (DU)]

B.M. DAVID, Under Secy.

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM LABOUR COURT - II, NEW DELHI

Presiding Officer: R.N. RAL

L.D. No. 11/2000

IN THE MATTER OF:—

Sh. Chinanan R/o Block No. 16/2
50, Kalyanpuri,
New Delhi-110 091.

VERSUS

M/s T.S. Murli & Co. Contractor,
18-B, Pocket A, Dilshad Garden,
New Delhi-110 095.

The Consultancy Development Centre,
Indian Habitat Centre, Zone-IV, East Court,
2nd Floor, Lodhi Road,
New Delhi-110 003.

AWARD

The Ministry of Labour by its letter No. L-42012/172/99/IR(DU) Central Government dt. 27-01-2000 has referred the following point for adjudication.

The point runs as under:—

“Whether the demand of Sh. Chinanan workman engaged through M/s T.S. Murli Contractor in the establishment of Consultancy Development Centre on the contract work of House Keeping job for the period from 18-5-95 to 31-3-98 for his employment and regularization in service with Consultancy Development Centre being Principal Employer is valid, legal and justified? If yes, to what benefit and relief is he entitled?”

The workman applicant has filed claim statement. In the claim statement it has been stated that the Central Government after considering the substance of disputes in the present case opined that an Industrial exists between the above referred employer and their workman, the above said, and in exercise of its power conferred under Section 10 (1) (d) of Industrial Dispute Act, 1947, fixed the following terms of reference, while referring the same for adjudication. The schedule is being reproduced as under:—

“Whether the demand of Sh. Chinanan Workman engaged through M/s. T.S. Murli Contractor in the establishment of Consultancy Development Centre on the contract work of House Keeping job for the period from 18-5-95 to 31-3-98 for his employment and regularization in service with Consultancy Development Centre being Principal Employer is valid, legal and justified? If yes, to what benefit and relief is he entitled?”

That initially the workman being aggrieved by the callous and in action of the Management of Principal Employer, had demanded for statutory benefits, also had demanded for their absorption with consequential benefits. The workman had joined the establishment on 18th May, 1995 and since then had continuously worked till 31-3-98 on which date, he was denied entry to the establishment, while no reason for such refusal of job was assigned to him. The workman bonafidely believes that he was illegally, unlawfully and unjustifiedly terminated from services, as the workman during those days started demanding his absorption along with other benefits in wages etc. It is stated that after terminating the workman along with another workman, P. Dharma, the Management preferred to regularize the service of the one Sh. Ram Sanehi, who was though similarly placed like the workman, was one year junior to the present workman.

The workman after meted out with discrimination and injustices became a member of the union which is representing union in the present case, also made a demand letter disclosing all the prejudicing actions of the Management. In the demand letter dated 24-8-98 reinstatement in employment was prayed for with entire consequential benefits. However, the management who duly received the same did not respond to it and remained a loaf.

That subsequent to that the workman through its union in order to raise an industrial dispute, made application under Section 10 of the Industrial Dispute Act. It is pertinent to submit here that during the course of conciliation, the management appeared with one M/s T.S. Murli & Co. Contractors, and for the first time it was disclosed that the workman's was in fact engaged by the said contractor. As no fruitful result transpired from the discussion, the concerned ALC, seized of the matter and sent the disputed to the Ministry of Labour for appropriate actions. It is pertinent to submit here that the ALC, forwarded a detailed report about the same and referred about notification dated 9-12-1976, which prohibited engagement of contract labour for the job of sweeping, cleaning and dusting in the establishment in regard to which appropriate government is Central Govt. Thus the Asstt. Labour Commissioner in its report opined that employer otherwise also could not have obtained services of a contractor in view of the said notification. It is pertinent to mention here that the contractor was not even licensed. It is stated that volumes of service record, bills, correspondence further prima-facie proved that the contractor if any was under a contract for having been retained for the name sake and he was not having any sort of control over the working of the workman and rather the workman was under the direct control and supervision of the principal employer.

That the workman has been working on the said post diligently and to the best of his ability and to the satisfaction to his superior officer.

That the workman has been working honestly and diligently. In spite of hard work in despite to the satisfaction of his superior officers by the workman. And despite having been no complaint against the workman, the Management has not allowed the workman to enter into the premises of the said establishment on 31-3-1998 without assigning any reason and said that the workman service were terminated and he is no more required in the said organization/establishment and the Management illegally and unlawfully terminated the services of the workman, which is illegal, uncalled for and arbitrary and the same is also against principle of natural justice.

That the workman has been working regularly without any interruption or break in service but the Management showing the workman in their record on temporary basis and the workman has requested the Management now and then to show the workman in records as regular and permanent employee and to provide all the benefits and wages of permanent employee to the workman.

That despite the fact that the workman has completed 280 days each year of working he was not absorbed into the department establishment for which he is legally entitled to

Moreover, he was being denied his rightful claim; he was not being given the facilities, which is being given to the other employees. The constitutional rights of above said workman is being seriously infringed.

That the Management has not followed the law of last come first go and fully knowing that the workman/employee juniors to him in services, have been allowed to continue in service and he had been deprived of his livelihood (service) for no fault of his for the best reasons known to the Management.

That the workman has sent a notice /demand notice to the Management but the Management has least bothered to reply the said notice. The copy of the notice is attached herewith for kind perusal of this Hon'ble Authority.

That the workman had been working in the Establishment/Management, since years altogether and he is the only earner, the Management being an establishment which takes grants for the Central Govt. to carry out their services.

The Management has filed written statement. In the written statement it has been stated that the Opposite Party, M/s. Consultancy Development Centre (CDC) is an autonomous body set up for development and promotion of consultancy capabilities in the country. A function of the CDC is mainly promotional and is dependent on special engineering and management scheme and expertise of members of the CDC. Mapping of furniture and cupboards by the persons provided by the contractor has nothing to do with the main activities at the CDC. Thus, no reference could be made under Section 10 (1) (d) of the ID Act, in the present case and the claimant's claim is liable to be rejected.

At the inception, it is submitted that the Workman, Shri Chinanan was an employee of M/s. T.S. Murli & Company a contractor having its office at Pocket A, Dilshad Garden, New Delhi-110 095. (CDC), Opposite Party herein, entered into an Agreement with TSM in the year 1999 for providing house-keeping services. Accordingly, two persons, viz., Mr. P. Dharma and Chinanan were deputed by the said TSM for house-keeping services. A true copy of the agreement entered into between CDC and TSM is marked and annexed hereto as Annexure-1. In fact, the relationship between the Workman, Chinanan and M/s. TSM is governed by the Contract Labour (Regulation and Abolition) Act, 1970 and as such there was absolutely no relationship of employer and employee between CDC and Chinanan.

Therefore, since the Workman who has raised the present dispute was never employed by CDC, the reference sought to be made under Section 10 of the Industrial Disputes Act, is not tenable.

It is further submitted that no demand whatsoever was made by the Claimant Workman to the CDC in respect

of the claim now being filed. Therefore, on this sole and short ground, the claim is liable to be rejected.

The workman applicant has filed rejoinder. In his rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Heard argument from the side of the Management. The workman was present on the date of argument but his counsel was not present. Award is being given considering the entire merits of the case.

It was submitted from the side of the management that CDC is an autonomous body set up for development and promotion of consultancy capabilities in the country. The function of CDC are mainly promotional and is dependent on special engineering and management scheme. It is not an Industry as per the Industrial Dispute Act, 1947. In a catena of judgment it has been repeatedly held that autonomous bodies are not Industries. Award of ID No. 112/95 old ID No. 827/83 has been annexed with the record.

It was further submitted that Shri Chinan was an employee of M/s. T.S. Murli and Company. The contractor having office at Pocket -A, Dilshad Garden, New Delhi. In 1995 M/s. CDC entered into contract with M/s. T.S. Murli and Company for providing House Keeping services on 28th June, 1984. As per this contract Mr. Chinan and P. Dharma were allowed to work in CDC. The management has filed Annexure A/1 contract for House Keeping, Manpower at Consultancy Development Center India Habitat Center, Lodi Road, New Delhi.

It was further submitted from the side of the workman that TSM was willing to absorb the claimant before the ALC but the claimant did not agree and subsequently M/s. TSM was also not interested in keeping the workman/applicant here in un-employed and it is the workman who has malafidely abandoned his job. The workman is not at all an employee of M/s. CDC and M/s. CDC have no liability towards him. Once the contract is terminated the employment of such people ceases to exist.

It is to be determined whether the workman was an employee of M/s. TSM or he was an employee of M/s. CDC. The workman has filed attendance register and other documents. These are Photostat copies. MW1 has admitted 31 photostat copies filed with the record and it has been admitted further by this witness that these are the attendance register for contract labours who were sent by the contractor. The photostat copies have been marked as exhibit WW1 to WW31 and this witness has admitted that these are the copies of the attendance register relating to Shri P. Dharma and Shri Chinan and Shri Ram Sanahi. This witness has also admitted that Shri Ram Sanahi named in the attendance register was a contract labour who has

now been regularized by the management, it is marked as exhibit WW32. Thus this witness has admitted that one of the contract labour Shri Ram Sanahi has been regularized.

This witness was confronted with 3 photostat copies and he admitted the genuineness and stated that it is the list of people of a categories including the employees of the management and also of the contractors wherein the name of the present workman Shri Chinan has been mentioned in the list at sl. no. 26. So the management witness has admitted exhibit no. 34, 35 & 36. He has also admitted Photostat copies of Identity Card issued to Shri Chinan. This witness has admitted that no seniority list of these House Keeping boys has been ever prepared by the management. Regularization is not made on the basis of seniority. There is no rule of regularization.

From perusal of the attendance register admitted by the management witness there is no mention of the contract labour in the attendance register. The witness has also admitted exhibit WW33 which is a list of all the employees of the respondents and the name of the workman has been mentioned at sl. no. 26, so he no longer remains an employee of the contract or in case his name has been included with the other employees of the respondents. All payments have been made on the letter heads of the management. Identity Cards has been issued to this workman directly by the management. There is no endorsement of any contract. In the circumstances contract has been introduced to camouflage the status of this workman. House Keeping job is a work of continuous and regular nature. One of such employee has been regularized. The respondents did not keep Muster Roll and maintain seniority list. It is at the discretion to regularize a workman and to remove the other. Such executive discretion amounts to vicious discrimination. In case contract is a name lender the workman is not attached with that contract company but the workman is attached all along with the respondents, the intermediary, the contract stands nowhere. The workman has been working as House Keeping Boy and no payment to this workman has been made by the contractor. He has signed attendance register of the respondents. He worked under the direct control and supervision of the respondents. The respondents decide what is to be done and how it is to be done so there is contract of service/employment. The Hon'ble Apex Court has mentioned in a catena of cases the control test. There should be direct supervision and control over the workman; they should be working under the premises of the management. They should be integrated to the establishment and the job should be of regular and continuous nature. The respondents cannot function in the absence of House Keeping Boys. So the day to day duty of the House Keeping Boys is a perennial nature of work. It is not the case of the respondents that this workman has been engaged as an additional hand in view of fresh or increase of work. The respondents cannot function

smoothly without House Keeping Boys. Such necessity is from the inception of the creation of the respondents. So they should not be dependent on supply of manual labour by a contract agency. Manual Labour is not a merchandise or an article to be supplied by a contractor to the Government. Contract is simply an agreement for giving certain result. Day to day duties of manual labour consistently and for a long period cannot be a subject to be supplied by a contractor. It is subversion of Constitution and stifling the Directive Principles of State Policy.

The Directive Principles are not fundamental rights but they are very much fundamental in the governance of the country. It has been enshrined in the Constitution that state will provide employment to maximum of its citizens subject to economic conditions or availability of work. It is nowhere provided in the Constitution that a contract agency will supply Human Labours to a Government Department. Human Labour is not an article to be purchased by a contractor and subsequently supplied to a Government Department for service charges. There should not be any service charge for supply on Human Labour as it is against human dignity. So the respondents have engaged a workman directly and in order to camouflage and conceal his status they have named an intermediary.

In case a contract is absolutely sham and it has been resorted to for concealing the real status of master and servant relationship, the master and servant relationship is created by the breach committed by the respondents. No registration certificate has been annexed with the record to show that the respondents are empowered to engage contract labours.

The respondents are doubtless an undertaking of the Government. They are not Research Institute, sovereign. They are carrying on systematic activities. It has been held in Bangalore Water Supply that mess workers or peons of universities are industrial workmen and the universities are Industries in respect of such workmen. The respondents are Industry in view of criteria laid down by the Hon'ble Apex Court in Bangalore Water Supply in 1978. That decision has not been revised by any Larger Bench. So the respondents are very much an Industry. The House Keeping Boy Shri Chinan is a direct employee of the respondents. He has worked for 240 days in many years as per the admission of the respondents so prior to removing him it was the duty of the respondents to pay him one month's pay in lieu of notice and retrenchment compensation. They have acted in breach of the beneficial legislation of 25 F of the ID Act, 1947. The remedy is reinstatement of the workman without back wages from the date of his termination.

The reference is replied thus :—

The demand of Shri Chinan workman engaged through M/s. T.S. Murji, Contractor in the establishment of Consultancy Development Centre on the contract work

House Keeping job for the period from 18-05-1995 to 31.03. 1998 for his employment and regularization in service with Consultancy Development Centre being Principal Employer is valid, legal and justified. The management is directed to reinstate the workman from the date of his termination from services within two months from the date of publication of the award. In case of default the workman applicant will be entitled to get 10% interest on the entire amount accrued as wages.

Award is given accordingly.

Date : 13-02-2006.

R. N. RAI, Presiding Officer

नई दिल्ली, 17 फरवरी, 2006

का. आ. 997.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टेलीकम्यूनिकेशन्स कंसल्टेंट्स इंडिया लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं०- II, नई दिल्ली के पंचाट (संदर्भ संख्या 103/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-2-2006 को प्राप्त हुआ था।

[सं. एल-40012/230/2003-आई आर (डी यू)]

बी.एम. डेविड, अवर सचिव

New Delhi, the 17th February, 2006

S.O. 997.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 103/2004) of the Central Government Industrial Tribunal-cum-Labour Court, No. II, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Telecommunications Consultants India Ltd. and their workmen, which was received by the Central Government on 17-2-2006.

[No. L-40012/230/2003-IR (DU)]

B.M. DAVID, Under Secy.

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT - II, NEW DELHI

Presiding Officer : R.N. RAI

I.D. NO. 103/2004

IN THE MATTER OF :-

Shri Sudhiar Kuamr Deepak.
R/o. A-311, Surya Nagar,
Ghaziabad (UP)—201 011.

Versus

The Chairman & Managing Director,
Telecommunications Consultants India Limited,
TCIL Bhawan, Greater Kailash—I,
New Delhi—110 048.

AWARD

The Ministry of Labour by its letter No. L-40012/230/2003-IR (DU) Central Government Dt. 7-6-2004 has referred the following point for adjudication.

The point runs as here under:—

“Whether the action of the management of Telecommunications Consultants India Limited in terminating the services of Shri Sudhir Kumar Deepak, Ex-office Assistant with effect from 01-01-1999 is just, fair and legal? If not, what relief the workman is entitled to and from which date.”

The workman applicant has filed claim statement. In the claim statement it has been stated that the workmen had been continuously working with the management of TCIL/O.P for three years and nine months prior to discontinuance of service/retrenchment vide dated 31-12-1998. The complainant joined the service with the O.P on 15-03-1995 and continuously served without any interruption as the services of complainant was continuously required by management. The workman completed more than 240 days of continuous uninterrupted service and the superior officers were absolutely satisfied with the work of complainant. During the said period no memo was ever issued for any dissatisfactory work of complainant including the immediate reporting office. The Provident Fund from the year 1995 till the date of retrenchment vide dated 31-12-1998 was continuously deducted as permanent worker from the salary of the workman.

That the salary of the workman was continuously increased as regular worker time to time. However on 31-12-1998, the workman was illegally and unlawfully detained from entering inside the office. The salary of the workman at the time unlawful discontinuance was Rs. 2544/- per month.

That the workman has worked with the management for about four years and during the said period he was transferred from one department to other departments of the management i.e. Inland Consultancy Division to project by Group General Manager having office at E-72, Kalkaji, New Delhi and later on transferred to Transmission Project Division, Devika Tower, New Delhi and worked there as Accounts cum Billing Assistant as well as Computer Operator till 31-12-1998. However the category of the workman was some times shown as DRM and in some records shown as Accounts Assistant.

That the other workmen that were junior to the complainant were retained by the management but the complainant was not allowed to continue the work by unlawful retrenchment even without complying lawful formalities to discontinue a workman. Other workers like Shri Nandulal Das was appointed on 1-4-1995 and is still continuing despite of the fact that complainant joined the

management on 1-4-1995. He was working with the Company Secretary at the relevant time. In the same manner several other workers that are juniors are still working with the management, which is apparent from the list annexed here as Annexures-I and II, that were prepared on 23-10-1998. The names of the juniors that were shown in the list of 23-10-1998 are available in the list prepared on 31-10-2002 annexed here as Annexure-III. The said fact is absolutely clear from the said lists. The examples of the discrimination are as under that are as per above annexures

Sl. No.	Name of Employee	Qualification	Posted on	Date of 31-10-02 Joining	Category
198.	Prem Raj Sharma	12th Pass	Mauritius	1-5-1996	DRM of office Assistant (as per list of 23-10-1998)
206.	Rakesh Kumar	12th Pass	Mauritius	3-4-1995	DRM or Typist (as per list of 23-10-1998)

The above said list and discrimination has been sorted out from the list prepared on 23-10-1998 and on 31-10-2002. The same are annexed herewith for kind perusal of this Tribunal/Court to assess the discrimination made by the management to continue their own favourite employees that are having no contacts with the senior officials. The said conduct of the senior officials has violated the rule of Last Come First Go which is apparent from the above said Annexures.

That the opposite party is an undertaking of Government of India and is bound by all the notifications of Government of India. The same cannot be allowed to adopt pick and choose policy. Therefore the opposite party has discriminate the complainant/workman from other workers and unlawfully retrenched the services of the workman/complainant.

That the workman was not allowed to work after 31-12-1998 and even back wages were not given. Therefore, the workman served a legal notice of demand for the back salary as well as to continue the service but the same was not allowed. The legal notice dated 19-03-1999 along with Regd. A.D. receipts are annexed as Annexure- IV to VI respectively.

That the termination/retrenchment of workman is unlawful and the workman is entitled for back wages since 11-1-1999 till date along with arrears on 31-12-1998 for the salary of the month of December, 1998 with bonus etc. as well as continuance of service with all other benefits of increments etc. as per Rules. The workman is also entitled for interest @ 24% per annum since the day when the dues were payable to workman since 1-1-1999 till decision and payment of all the dues.

That the workman has not been served with any notice of termination till date. The legal notice dated 19-3-1999 served by the workman was also not considered by the management. Hence, the termination is absolutely unlawful and without due process of law.

The management has filed written statement. In the written statement it has been stated that the present dispute has been referred for adjudication to the Central Government Industrial Tribunal-cum-Labour Court No. II, New Delhi by the Central Government vide their order No. L-40012/230/2003-IR (DU) dated 7-6-2004. Under Section 10 (1) of the ID Act, 1947, reference for adjudication can be made only by the appropriate Government. It is submitted that the Central Government is not the appropriate Government in the present case. The term appropriate Government has been defined in Section 2 (a). The TCIL is a Government company having separate and independent legal entity. Thus, it cannot be said that it is carrying out its business by or under the authority of the Central Government. Therefore, sub-section (i) of Section 2 (a) is not applicable in its case. The appropriate Government in this case is the State Government in terms of Section 2 (a)(ii). Therefore, the reference dated 7-6-2004 is without authority of law and invalid.

The claimant is guilty of laches. The long and unexplained delay has seriously prejudiced the case of the defendant. He was retrenched on 31-12-1998. But, it was on 22-11-2002 that the defendant received notice from the ALC(C), i.e. after a lapse of almost four years. Two years have elapsed further. The defendant vehemently urges upon the Hon'ble Court to dismiss his claim on the ground of undue delay and continuing laches alone.

The Telecommunication Consultants of India Limited (TCIL) is a Government company which takes up projects within its sphere of functioning which are to be completed within stipulated period. To execute such projects the core staff is manned by regular employees of the TCIL. The additional Ancillary Staff which is required for completion of Project is hired on contract on temporary basis. As the project nears completion the need for staff dwindles and the contract staff is discharged. This is exactly what happened in this case. The claimant was appointed on contract basis for a temporary project, his services were continued till required for the project work and had to be discharged when the project was complete and there was no work.

It is denied that the salary of the claimant was increased as a regular workman. He had been appointed temporarily on contract basis for a project which was itself temporary and therefore he was never treated as a regular employee. His salary was increased as per requirements of minimum wages. It is also incorrect and it is denied that he was detained from entering the office on 31-12-1998. In fact, he was very much present in the office on that day

when he was discharged from service and he refused to accept the retrenchment letter along with Bankers Cheque in the presence of four witnesses.

It is denied that the claimant was transferred from one department to another. The I.C. Division in which he was appointed was a part of T.P. Division and was merged with it. The claimant remained all along in T.P. Division which was a temporary project. He was taken as an Accounts Assistant for the T.P. Division and remained as such all through. He never worked as a Computer Operator. It is totally incorrect to say that he was ever shown in the DRM category. The DRM's (Daily Rated Mazdoor) is an entirely different category for doing manual work.

It is denied that any Accounts Assistant junior to the claimant in the T.P. Division was retained. The seniority list of Accounts Assistants and the names of those who were to be retrenched were duly displayed on the Notice board and it clearly showed that there were two Accounts Assistants, namely Ms. Seema Kulshrestha and Tarinder Kaur, junior to him who were also retrenched along with him on the same date. These retrenchments had become unavoidable in view of shortage of work. It is totally incorrect to say that it was unlawful retrenchment without complying with lawful formalities. It is vehemently asserted that the retrenchment was completely lawful and valid and all legal formalities prescribed by the ID Act were complied with.

Shri Nandulal Das was a DRM which, as already explained, is a different category altogether. The other two names mentioned by the claimant similarly belong to the DRM category. The DRM (Daily Rated Mazdoors) is a totally different category irrelevant and unconnected with the circumstances of the present case. It is vehemently reiterated that the principle of "last come first go" was meticulously followed.

The TCIL is a Government Company as defined in the Companies Act. It is not a department or part of the Government. The Government Rules or the Executive Circulars/Notifications do not ipso facto apply to it unless these are specifically adopted. It is denied that there was any discrimination against the claimant. His retrenchment was lawful and in accordance with the ID Act. No Accounts Assistant junior to him was retained. As already stated, T.P. Division was a temporary Project and was complete and in the process of being wound up. It was finally closed in 1999. The claimant along with his junior Accounts Assistants has to be discharged because of shortage of work and all legal formalities were complied with.

The workman applicant has filed rejoinder. In his rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard arguments from both the sides and perused the papers on the record.

It was submitted from the side of the workman applicant that as per Annexure-I Shri S.K. Deepak, Billing Assistant was senior-most in TPG Division, Kalkaji. This paper has not been either denied or admitted by the management. The workman cannot produce the original as the originals are in possession of the management. He has filed Photostat of the seniority list. As per the seniority list Shri S.K. Deepak is workman as on Sl. No. 1, Shri Rakesh Kumar is on Sl. No. 5, Shri Bishram Singh, DRM is on Sl. No. 7, Shri Prem Lal Sharma, Office Assistant is on Sl. No. 11 and Shri Parbat Singh is on Sl. No. 13.

It was submitted from the side of the workman applicant that Shri Prem Lal Sharma, Office Assistant continued to work till 30-10-2002 in TPG Division and thereafter he was posted on 31-10-2002 in Maritius. Shri Rakesh Kumar, Typist is on Sl. No. 5. He was junior to the workman. He worked up to 30-10-2002 and thereafter he was posted in Maritius from 31-10-2002. These two workmen are junior to the workman Shri S.K. Deepak and they have been continued till now whereas the workman applicant was retrenched.

It was further submitted that From Annexure-A it is obvious that Shri Parbat Singh in the seniority list was on Sl. No. 13 and he was transferred to another Division. The management has retained the services of Mr. Shankar Mishra. Mr. Rakesh Kumar and Mr. Parbat Singh and Ms. Malti Kumar. Ms. Malti Kumar is on Sl. No. 22, Rakesh Kumar is on Sl. No. 5 and Mr. Shankar Mishra is on Sl. No. 8 and Mr. Parbat Singh is on Sl. No. 13. The management has retained these five workman in service on the basis of transfer whereas the present workman being on Sl. No. 1 has been retrenched.

It was further submitted that the management has not followed the policy of last come first go. The workman was appointed on 15-03-1995 whereas these workmen referred to above were appointed thereafter but the juniors have been retained and the senior, the workman Shri S.K. Deepak has been retrenched. The management has not followed the policy of first come last go. It is settled law that no discretion is vested in the management to retrench a senior employee and retain the juniors to him.

It was further submitted that the management is adopting discriminatory policy. If the management wants to retain a junior, the senior is transferred to other Division where he would become junior and he will be retrenched taking his seniority in that Division.

It was further submitted from the side of the workman applicant that no retrenchment compensation was paid to the workman while retrenching him. The management has filed original retrenchment letter and the case of the

management is that the workman refused to receive Demand Draft No. 213036 on December 31, 1998 in the presence of 4 witnesses of the department and the said Demand Draft was sent to the workman twice but he was not found available. It was submitted that this appears to be another design of the management. Two addresses of the workman has been mentioned. In the retrenchment notice his first address is Mr. Sudhir Kumar Deepak, A-311, Surya Nagar, Distt. Ghaziabad (U.P.). This address is typed. The 2nd address is A-192 MIG Flats, Brij Vihar, Ghaziabad (U.P.). This address is handwritten. It indicates that the real address of the workman is address No. 1. The Demand Draft has not been sent to the workman on the typed address. The original register letters have been filed and on both the letters address is 2nd one and not the first one. If the management was keen that Demand Draft should be sent to the workman it should have been sent on both the addresses. If there are two addresses of the workman, one typed and the other handwritten the Demand Draft should be sent on both the addresses. Demand Draft by Courier has been sent on the same address.

It was submitted from the side of the workman that he was not permitted entry on 31-10-1998. There is no question of refusing Demand Draft. The management got the sign of the departmental witnesses and endorsed refused on that letter and did not send the Demand Draft on the correct address of the workman. It becomes quite obvious that the retrenchment compensation was not paid to the workman but a case has been made that the Bank made every effort to give retrenchment compensation to the workman but he was not available. It has been admitted by the management witness that Shri Sudhir Kumar Deepak was appointed in 1995. He was posted as Account Assistant and he was not given appointment letter. It has been also deposed by this witness that the management has given extension to this workman. He was retrenched on 31-12-1998. This witness has also admitted that Annexure-II belongs to their concern.

It was submitted from the side of the workman that he was taken in service in Telecommunication of India and it is quite manifest from the EPF deduction slip that he was serving the Telecommunication of India Limited a Government Undertaking. His EPF slip runs into three pages and it is admitted case that he has served the Telecommunication of India Limited a Government Undertaking from three years nine months. His EPF balance during the year 1997-1998 was 43,906/-. This EPF slip has not been denied by the management.

It was submitted from the side of the management that he was employed in TP division which is a temporary division. Thus according to the respondents he was employed on Project and when the work came to end he was retrenched after making payment of his retrenchment compensation. The respondents have been trying to

conceal facts. Seniority list of DRMs (as per proposal dated 31-10-2002) has been annexed with the record. This document has not been denied so it is admissible in evidence. From perusal of this seniority list it becomes quite obvious that from the date of retrenchment of this employee 40-50 fresh recruitment have been made from 1999—2002. Thus the plea of the management that he was engaged on project and when the Project work was over he was retrenched is not supported by any document of the management. Retrenchment should be always of the surpluses and an employee who has worked for almost four years cannot be retrenched and 50 others taken for the same nature of work. As such the respondents have acted not only in breach of Section 25F, but G, H and N also.

It was submitted from the side of the respondents that the workman was junior in view of seniority list. The workman has been termed as Billing Assistant and sometimes as Account Assistant or Office Assistant. The undertaking is still running in full swing so it cannot be said that the nature of work of Billing Assistant, Office Assistant or Account Assistant has been abolished. Seniority list should not be prepared according to the need and for the *mala fide* design of retrenchment. The respondents have filed circular Annexure-II. In that circular the wages of Un-skilled worker, Semi-skilled worker, Skilled worker, Matriculate and Graduate and above of TCIL on 23-03-1995 has been mentioned. So one person for the illicit purpose of retrenchment should not be sent to a division as Billing Assistant or Account Assistant and retrenched thereafter as there are already senior employees working in that organization.

The categories of employees have been mentioned in Annexure-II and the workman comes under semi-skilled worker, if not a skilled worker. So many semi-skilled workers have been retained in service as mentioned above as per the seniority list prepared by the management in 2002. No discretion should be vested in an Executive Authority for resorting to vicious discrimination. Discretion does not mean discrimination. In the instant case there has been gross discrimination and employees who have discharged duties for substantial periods have been retrenched on the basis of transfer to different division. This workman was engaged by TCIL and not by TP Division. He cannot be transferred to TP Division for the sole oblique motive of retrenchment. So the pick and choose policy of respondent is not sustainable. They are not above law and they cannot act in violation of Section 25F, G, H & N. They have to follow strictly first come last go principle which is based on equity.

It was submitted from the side of the respondents that this Court lacks inherent jurisdiction. The respondents are not and undertaking of Central Government. State Labour Courts have got exclusive jurisdiction to adjudicate upon such matters. This plea is also frivolous and vexatious

as in the case of ID No. 109/2000 pending before Labour Court VIII the same respondents have taken the plea that Court is not competent to adjudicate upon this matter as State Government is not Government to make a reference to that Court. Central Government Industrial Tribunal is the appropriate forum and Central Government is the appropriate Government for making references of the employees of the respondents. This plea of jurisdiction should not be taken audaciously to circumvent judicial procedure. Thus, it becomes quite manifest that the respondents have taken the plea before the 8th Labour Court that Central Government is the appropriate Government and the references made by the State Government is not competent. The same respondents here have taken the plea that this Court is not the competent Court for adjudication of such matter. State is the appropriate Government. The same respondents have taken contradictory pleas in two forums. TCIL is a Government Undertaking as has been mentioned in circular letters issued by the TCIL.

It was submitted from the side of the management that the workman was retrenched as he was Billing Assistant. The respondents have filed the criteria of the workman. In the criteria, Annexure-I the admitted paper filed criteria's have been mentioned by the management on 23-3-1995. The first category is of un-skilled worker. The 2nd is of semi-skilled worker. The 3rd is of skilled worker. The 4th is of matriculate and the 5th criteria is of Graduate and above. As per the criteria of Telecommunications Consultants India Limited all the workmen have been divided into five categories. But the respondents have created different categories and classes of workmen just as Billing Assistant, Office Assistant, DRMs and Typist to suit their purposes. The respondents have been indulging in unfair labour practice. If they want to retrench a workman they will transfer him to a particular division where there are enough seniors and create hypothetical categories of workman. The respondents are a Government of India Enterprise. They are a Government Undertaking. The criteria adopted by the respondents is not of DRM, Billing Assistant, Office Assistant and Typist but as mentioned in the circular letter.

It transpires from Circular letter dated 06-01-1999 that first essential qualification is Graduate 2nd Division (condition of 2nd Division is relaxed in case of persons working in TCIL with additional experience of four years). The Workman is undoubtedly a Graduate and he has worked from 05-03-1995 to 31-12-1998. He has been retrenched by the respondents on 31-12-1998 and they have invited applications on 06-01-1999. He has worked for 3 years and 9 months. They have removed him deliberately in order to take in service their favourites. Many such workmen have been retrenched and their cases are pending in Labour Courts. The respondents, it appears, are indulging in mala fide practices and the services of the employees are

at their disposal and they are retrenching them at their will. The workman when enters into contract of employment does not sign a bond of slavery. He cannot be transferred to a temporary division while he was initially engaged in a permanent division. The list prepared in 2002 by the management is quite confusing. This list is not according to the guidelines of the criteria enumerated above. The respondents illegally even today want to retain their illegal practice of retrenchment by preparing hypothetical seniority list for removing and retrenching some workmen. To conclude there is no criteria of Billing Assistant, Office Assistant, Typist and DRM as approved by the Government. This workman has been illegally retrenched. Retrenchment compensation has not been paid to him. The respondents have got a draft prepared and sent it to such addresses on which the workman is not available. The retrenchment letter records the typed address of the workman but no letter either Registered or by Courier has been sent on this address. The witnesses have appeared and stated that they have not signed before the Sr. General Manager, Shri K. C. Gupta on Annexure-I. This retrenchment letter becomes concocted. Their illegal activities are apparent from annexure-I. Shri Bishram Singh is DRM and he was engaged on 11-05-1995. Shri Parvat Singh is also DRM and he was engaged on 01-11-1995 so Shri Bishram Singh is senior to Shri Parvat Singh but the management retrenched Shri Bishram Singh on 12-11-1998, but retained a junior Shri Parvat Singh on the grounds of his transfer to a different division. A junior Shri Parvat Singh, DRM has been retained by the management. No explanation can be offered for retrenching the Sr. DRM and retaining a junior one. This is indicative of illegal and unfair labour practice the respondents have been indulging in. A thorough probe is required by the Government in such matters.

It was further submitted from the side of the management that this Tribunal/Court has no jurisdiction to adjudicate upon this matter and the State Labour Court has the exclusive jurisdiction. As I have already pointed out in Labour Court VIII in the case of an employee retrenched with this Workman, the respondents have taken the plea that the Labour Court VIII has got no jurisdiction and only Central Government Industrial Tribunal has jurisdiction. They have challenged the jurisdiction of this Tribunal/Court and of Labour Court also. In such circumstances they should usurp jurisdiction.

It was submitted vehemently from the side of the Learned Counsel of the respondents that 2 a (ii) is applicable in the matters of the workman of the respondents. The respondents have filed certain letters on Government stationery and it has been specifically mentioned that the respondents, Telecommunications Consultants India Limited is a Central Government Enterprise and it is the Undertaking of the Central Government and it is situated in Greater Kailash-I. The definition of appropriate Government in 2 a (j) is quite enumerative and extensive. It is not

exclusive. It does not fall within the criteria of exclusive definition or extensive definition or even restrictive definition. According to this definition any undertaking carried on by or under the authority of the Central Government, the Central Government would be the appropriate Government and thereafter an exhaustive list of undertakings have been mentioned. As such there are two parts of the definition. According to the first part for undertakings or industries carried on by or under the authority of Central Government, the Central Government is the appropriate Government. All the undertakings and Industries which are controlled and carried on by the Central Government and the Central Government Industrial Tribunal has exclusive jurisdiction to decide such cases. In the 2nd part of the definition instances of Companies and Undertakings have been given.

The test of determining the appropriate Government has been laid down by the Hon'ble Apex Court in (2001) 7 SCC. This is a Constitution Bench Judgement. There Lordships have held in case the undertakings or enterprises on industries are agent or instrumentalities of the State functioning under the authority of the Central Government, the Central Government would be the appropriate Government.

It was the duty of the respondents to establish that their activities are carried on by a particular State Government and they are controlled by a particular State Government but they have not any evidence to this effect. They are carried on by or under the authority of the Central Government so they are the instrumentalities of the Central Government and Central Government is the appropriate Government and the Central Government Industrial Tribunal of the ID Act, 1947 is the competent Court of jurisdiction. The law cited by the respondents are not applicable in view of the decision of the Hon'ble Apex Court in (2001) 7 SCC. No other point was raised before me. The workman has not been paid retrenchment compensation as discussed above. The respondents have made an endeavor to show the same on the paper but the order of retrenchment has not been communicated to the workman on the address specifically provided by him. So the entire effort of the respondents is exercise in futility.

The salient features of this case are that the workman was engaged and he has worked up to 31-12-1998. He has served the respondents for 3 years and 9 months and he has been retrenched while a number of juniors to him have been retained. So the respondents have acted in breach of Section 25 F, G, H and N of the ID Act. There is flagrant and blatant violation of the provisions of the ID Act, 1947 which is a beneficial legislation. The workman has established to the hilt that he was retrenched without notice or pay in lieu of notice and retrenchment compensation. He has further proved that juniors to him have been retained and there has been recruitment even after his retrenchment.

So his case falls squarely under Section 25 F, G, H & N. The respondents have acted in breach of these benign provisions of the ID Act. So the workman deserves to be reinstated with 100% back wages from the retrenchment date i.e. 01-01-1999 with Rs. 10,000 (Ten Thousand) as costs from respondents for their illegal order.

The reference is replied thus :—

The action of the management of Telecommunications Consultants India Limited in terminating the services of Shri Sudhar Kumar Deepak, Ex. Office Assistant w.e.f. 01-01-1999 is neither just, fair nor legal. The workman applicant is entitled to be reinstated w.e.f. 01-01-1999 with 100% back wages and with Rs. 10,000 (Rs. Ten Thousand) as costs for unnecessary litigation occasioned by the illegal act of the respondents within two months from the date of publication of the award. In case of default the workman applicant will be entitled to get 10% interest on the entire arrear accrued.

Award is given accordingly.

Date: 08-02-2006 R. N. RAI, Presiding Officer

नई दिल्ली, 17 फरवरी, 2006

का. आ. 998.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 17 के अनुसरण में, केन्द्रीय सरकार दूरसंचार विभाग के प्रबंधन के संयुक्त नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं०-11, नई दिल्ली के पंचाट (संदर्भ संख्या 78/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-2-2006 को प्राप्त हुआ था।

[सं. एल-40012/331/2001-आई आर (डी यू)]

बी.एम.डेविड, अवर सचिव

New Delhi, the 17th February, 2006

S.O. 998.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 78/2002) of the Central Government Industrial Tribunal-cum-Labour Court, No. II, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom and their workmen which was received by the Central Government on 17-2-2006.

[No. L-40012/331/2001-IR (DU)]

B.M. DAVID, Under Secy.

ANNEXURE

BEFORE THE PRESIDING OFFICER, CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL CUM
LABOUR COURT - II, NEW DELHI

Presiding Officer: R.N. RAI

I.D. No. 78/2002

IN THE MATTER OF:-

Sh. Surinder Kumar,
S/o Sh. Ram Kishore Sharma.
R/o Vill and PO Kakodiya,
Rewari

VERSUS

The Distt. Manager, Telecommunication,
Near Government Hospital,
Rewari

AWARD

The Ministry of Labour by its letter No. L-40012/331/2001-IR (DU) : Central Government dated. 01-04-2002 has referred the following point for adjudication.

The point runs as under :—

“Whether the action of management of TDM, BSNL, Rewari in terminating the services of Sh. Surinder Kumar Sharma, Computer Operator w.e.f. 3-7-2000 is just and legal? If not, what relief the workman is entitled to?”

The workman applicant has filed claim statement. In the claim statement it has been stated that the workman is a young person and hails from very poor family.

That the District Manager, Telecommunications, Rewari (hereinafter called the Management) invited the applications from the open market in the year 1997 for the post of Computer Operator on contract basis, the workman also applied for the same.

That it is further relevant to submit here that the workman was appointed as Computer Operator on 1-8-1997 by the Management after conducting test and interview. That it is relevant to submit here that the workman was appointed by the Management under the full control and directions of the Management and hence there is clear relationship of master and servant between the workman and management which is clear from the terms and conditions of the agreement and same is available with the management.

That it is relevant to submit here that subsequently the management in order to avoid its obligations and to make artificial gap between the workman and the management, management appointed P.C.S. Computer Centre and then Print India (Ltd.) the agent between the workman and the management which is illegal in the eyes of law.

That it is relevant to submit here that the workman was working under the direct administrative control of the management and the contractor was merely an agent of the management to procure the labour from the open market which is illegal in the eyes of law as laid down by the Hon'ble Apex Court in the case of the Secretary HSEB Versus Suresh.

That the workman approached the office of the management many times for regularization of his services but did not submit any written representation with apprehension that the management shall terminate the service of the workman.

That it is further relevant to submit here that the duties and functions of the workman is of permanent and perennial in nature and therefore it is essential for the management to continue the services of the workman.

That the livelihood of the workman substantially and fully dependent upon the labour rendered by him to produce services for benefit of satisfaction of the management and therefore, in the absence of direct relationship of the presence of dubious intermediate like the contractors cannot shape the relationship of master and servants between the management and the workman.

That it is further relevant to submit to the entire satisfaction of the workman was working to the entire satisfaction of the management and there was no complaint from any corner. But to the great shock of the workman, the management on 3-7-2000 without issuing any show cause notice terminated the services of the workman which is illegal, unjust and against the principles of natural justice.

That the whole action of the management terminating the services of the workman and not regularizing the services of the workman is illegal and again the principles of natural justice and consequently the workman is entitled for his reinstatement in service with all consequential benefits on the following grounds :

In view of the facts stated above the claim of the workman is based on the following grounds :—

Because, the action of the management giving the work of perennial in nature which is being performed by the workman, through the contractor is illegal and arbitrary in the light of law laid down by the Hon'ble Supreme Court in the case of Air India Statutory Versus United Labour Union which is as under :—

“70 Before parting with this judgment it has to be appreciated that engagement of contract labour has been found to be unjustified by a catena of decisions of this court when the work is of perennial nature and instead of engaging regular workman, the system of contract labour is resorted to it would only to fulfilling the basis purpose of security monetary advantage to the principal employer by reducing expenditure on the work force it would obviously be an unfair labour practice and is also an economically short cited and unsound policy, both from the point of view of the undertaking concerned and the country as a whole. Such a system was tried to be put an end by the Legislature by enacting the Act but when it is found there are certain activities of establishment where the work is not of perennial nature and then

contract labour may not be abolished it would be required to be regulated so that then lot of workman is not rendered miserable. The scope and ambit of the Act is to abolish contract labour and not be thrown out of establishment as tried to be submitted to on behalf of the management taking resort to the express language of section 10 of the Act.”

Because the Hon'ble Supreme Court in the case of R. K. Panda and Others Vs. Steel Authority of India held that the contract labour who are working under contractor continuously working with long period to be absorbed by the department/management as regular employees.

Because it is clear from the duties and functions of the workman that the workman is discharging the work of permanent and perennial nature and it is very essential for the management to continue its activities which are not possible without the workman.

Because the services of the workman have been terminated without assigning any reason and without issuing any show cause notice which is illegal, unjust and against the principles of natural justice.

Because the workman was engaged for typing work as Computer Operator which work is directly and intrinsically a part of the work of the Management.

The Management has filed written statement. In the written statement it has been stated that the alleged worker Shri Surinder Kumar was never appointed in the office of TDM, Rewari on the post of Computer Operator on 1-8-1997 as alleged. He was never paid any salary through the Store Keeper, the alleged worker was never appointed on any post in the Department of Telecom although M/s Print Line India used to perform typing work for TDM Officer, Rewari and M/s Print Line India being paid according to market rates.

The TDM Office never paid any amount to any person except to M/s Print Line India for the typing for the typing job of this office. The complainant was sent at times by M/s Print Line India for typing work and the management of M/s Print Line India was paid for that work. The TDM Office, Rewari not aware whether the complainant is in permanent or casual employment of M/s Print Line India and also it is of no concerns to this office.

The TDM Office, Rewari never had any direct contract with the complainant nor paid any amount directly to the complainant for typing work.

That there is no post of store-keeper in this office. The complainant was never appointed in this office, hence the question of removal from the alleged post did not arise and therefore, there was no requirement of serving him with a show cause notice. The complainant never drawn any salary from this office and never worked as Computer Operator in this office as a employee of the Department. Moreover, this office has no authority to appoint any

employee as per the departmental Rules. Complaint filed by Surender Kumar is wrong, illegal, malafide, baseless and had been filed with an ulterior motive and the same is liable to be dismissed.

The workman applicant has filed rejoinder. In his rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The Management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard arguments from both the sides and perused the papers on the record.

It was submitted from the side of the workman that he had been performing his duty from 1-8-1997 to 3-7-2000 continuously on the Computer of the management within the office premises. It was also submitted that 9 diaries were provided by the management to note down the daily progress of work provided by the management. These original diaries have been annexed with the record. It was further submitted that payment were made through Shri Bakhedu Yadav, General Clerk also working as Store Keeper. The case of the management is that the workman was never appointed in the office of TDM, Rewari on the post of Computer Operator on 1-8-1997. The workman was sent by M/s Print Line India for typing job of the respondent's office, he was at times sent by M/s. Print Line India for typing work and the management of M/s. Print Line India was paid for the work. The respondents had no direct contract with the complainant nor paid any amount directly to the complainant for typing work. He was never appointed in the respondent's office so there was no question of removing him and serving him with show cause notice. He never worked as Computer Operator in the office of the respondents as an employee of the department. That office had no authority to employ any employee as per the departmental rules. Shri J.M. Gupta had admitted in his cross examination as follows :—

"I do not know the contents of the said documents because the other officials may have taken job from him. It is correct that there was no registration under Contract Labour (Regulation and Abolition) Act, 1970. During the period I worked at Rewari. I do not know whether the department has got registration under the said Act for the period 1-8-1997 till 3rd July, 2000. There was no requirement of registration under the said Act being a Government Department that is DOT. It is wrong to suggest that there is requirement for registration under the said Act. I only recognize Chandra Prabha in one of the photographs. I cannot recognize the Computer shown in the photograph. It is correct that the Muster Roll worker worked for attending the faults at line and wire in field before 1985. It is correct that no appointment letters to the Muster Roll workers on daily wages was issued at that time. After 1985 no Muster Roll worker casual workers were engaged by

the Department of DOT after 1985. I do not know whether Muster Roll work without interview or regular interview conducted for the employment of regular worker/process. I do not know whether the workers were granted equal work and regularization as per the Judgment of Supreme Court in 1987-88. I am not aware whether Shri Surinder Kumar Sharma had filed a writ petition in Delhi High Court. I do not know the letter dated 31-10-2001 issued by the ALC(C), Faridabad. As per record at the time of relinquishing the work, no notice compensation were given to Shri Surinder Kumar Sharma because he was not an employee of DOT. It is wrong to suggest that I have deposed falsely. It is correct that the work was available."

It was submitted from the side of the workman that the workman performed his duties under the direct control and supervision of the officials of the management on their Computer within the premises of the management office. The management witness Shri J.M. Gupta, MW I/I has not denied the documents exhibit W I/I the progress diaries maintained by the management which shows the relationship between the workman and the management.

The workman has filed diaries. All the diaries are of Department of Telecommunications, District Rewari and on the diaries it has been specifically printed daily work statement book 1996, 1997. These diaries establish the fact that the workman has been engaged sometimes on Computer II, Computer I and he has been given designation of Computer Operator. The numbers of books have also been typed on these diaries. These diaries establish the fact that the workman has worked on Computer. These diaries have been issued to him by Telecommunications Department, District Rewari. These diaries alone establish the fact that the workman has worked as Computer Operator for the period as has been stated in the claim. The management witness has also admitted that it is correct that the Muster Roll worker for attending defaults at line and wire in field were engaged before 1985. He has also admitted that no appointment letters to the Muster Roll workers on daily wages were given. This witness has also admitted that as per record at the time relinquishing the work no notice/compensation was given to Shri Surinder Kumar Sharma because he was not an employee of the DOT. It is correct that the work was available. This witness has also admitted that the department had not obtained registration under Contract Labour (Regulation and Abolition) Act, 1970 as there was no requirement of registration under the said Act.

According to the admission of this departmental witness work was available at that time and Muster Roll workers were engaged so it was the duty of the department to maintain a Muster Roll Register. The department has acted in breach of the provisions. Seniority list of the Muster Roll workers should be maintained. This witness has also admitted diaries are manifestly of the department of the management. The department has annexed

photocopies of the payment made to the workman on 23-7-1998. Payment has been made on Print Line India letter head but the subsequent payments have been made by the management and it has been attested by the witness of the management. It becomes quite obvious from these photocopies filed by the management that the work of Shri B. D. Malik, Shri Hari Singh, Shri Narula, Shri Jai Pal Yadav, Shri Suresh Singh, Shri Suresh Yadav, Shri Bhakru Yadav, Shri D.P. Yadav and Shri B.P. Mina has been verified and checked by the management so it becomes quite obvious that payment has been made on the letter head of the Print Line India but the work has been attested and verified by the management.

It was submitted from the side of the workman that management witness has admitted that the management was not registered under Contract Labour (Regulation and Abolition) Act, 1970. M/s. Print Line India has not also filed any certificate that M/s. Print Line India was registered under Contract Labour (Regulation and Abolition) Act, 1970. No agreement entered into between M/s. Print Line India and the respondents has been filed on the record. In the circumstances it appears that the management has introduced M/s. Print Line India for making payment. In fact payment has been made by the management. The respondents have not filed any paper to show that payment has been made to the workers by M/s. Print Line India as there is no signature of workers on the letter head of payment. In case computer work was assigned to M/s. Print Line India there should be an agreement and an amount should be mentioned for payment to the contractor and the respondents should pay the entire emoluments of a month of the employees to M/s. Print Line India and M/s. Print Line India will in the circumstances make payments to the workman and obtain their signature. The management has failed to establish that the workman was paid through M/s. Print Line India. The management has failed to establish that the workman worked under the control and supervision of M/s. Print Line India. To camouflage the status of the workman the management has filed certain photocopies of payments made to M/s. Print Line India. The fact is that no payments have been made to M/s. Print Line India by cheque. The payments made to the workman have been shown to be made by M/s. Print Line India.

The workman has filed letter dated 13-10-1999 written by Shri Hanuman Prasad Sharma to the Accounts Officer. In this letter it has been specifically admitted that Shri S.K. Sharma was engaged on Computer from 06-01-1999. This letter also establishes the fact that the workman was working for the respondents.

The respondents carry on systematic activities. They are Industry in view of the judgment of the Apex Court in Bangalore Water Supply. The documents filed by the workman have not been denied by the management. Photocopies have been filed but they are supported by

affidavit of the workman. Original diaries have been filed so it is proved beyond any ray of doubt that the workman has worked from 01-08-1997 to 03-07-2000 so he has worked for more than 240 days at least in three years preceding the year of termination of his services. The management witness has admitted that work was available and that work was is still going on so the work is of continuous and regular nature. It has been nowhere stated by the management witness that the workman was engaged when there was additional increase of work. The work performed by the management on computer is a work of continuous nature and it has been submitted by the workman that freshers have been taken for that job. The contractor appears to be mere a name lender and in view of 1999-I-LLJ 1086 in case the workman has worked for 240 days and contract has not been proved the workman would become the employees of the management and it shall be deemed that he has been engaged by the management though without following the recruitment rules. In case there is simple engagement for 240 days without appointment letter, without following the policy of recruitment, Section 25 F, G and H of the ID Act, 1947 come into operation. Appointment letters have not been issued to daily rated workers. Such practice has been disapproved by the Apex Court in 2005 IX AD (SC) 261. For the operation of Section 25F of the ID Act, 1947 irregular appointment, invalid appointment, appointment without following recruitment rules are not to be considered. The Industrial Adjudicator is only to ascertain that the work is of continuous and regular nature and the workman has worked for more than 240 days. Notice or pay in lieu of notice for one month and payment of retrenchment compensation becomes mandatory in view of Section 25 F of the ID Act, 1947. If the respondents act in breach of Section 25 F of the ID Act, the remedy would be reinstatement. If there is breach of any provision and some illegal act has been done then the remedy in such cases is to re-store status quo ante. Violation of Contract Labour Act or automatic absorption are not incidents for reinstatement. Reinstatement simply means re-storing status quo ante as the workman has been dis-engaged in breach of Section 25 F. The workman has been deprived of statutory right provided under Section 25 F such as payment of one month's salary and retrenchment compensation. These payments are essential in view of continuous work of the workman in case regularization is not possible.

It is proved by the admission of the MWW1 and the original diaries filed on record that the workman has been engaged as a Muster Roll worker and freshers have been taken for that job and that job is still continuing. In the circumstances the management has acted in violation of Section 25 F, G and H of the ID Act, 1947. The workman deserves to be reinstated with 50% back wages in the facts and circumstances of the case w.e.f. 03-07-2000.

The reference is replied thus :—

The action of the management of TDM, BSNL, Rewari in terminating the services of Shri Surinder Kumar Sharma, Computer Operator w.e.f. 03-07-2000 is neither justified nor legal. The workman applicant should be reinstated with 50% basic wages within two months from the publication of the award. In case of default the workman will be entitled to get 12% interest per annum on the wages which would be due.

Award is given Accordingly.

Date 17/3/2006

R. N. RAI, Presiding Officer

17 दिहली, 1 मार्च, 2006

का. अ. 999.— केन्द्रीय सरकार संतुष्ट हो जाने पर कि लॉकरिंग के काम करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उप-खण्ड (vi) के अन्वये प्रत्यक्ष रूप से, भारत सरकार के श्रम मंत्रालय की अधिनियम संख्या अ. 3449 दिनांक 13-9-2005 द्वारा यूरेनियम उद्योगों के औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रवृत्ति अनुसूची की प्रावधि 19 में शामिल है, को उक्त अधिनियम के प्रयोग के लिए दिनांक 15-9-2005 से छः मास की कालावधि के लिए लोक उद्योगी सेवा घोषित किया था।

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की ओर कालावधि के लिए बढ़ाया जाना अपेक्षित है।

अ. 999, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उप-खण्ड (vi) के अन्वये प्रत्यक्ष रूप से

प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम को उक्त अधिनियम के प्रयोग के लिए दिनांक 15-9-2005 से छः मास की कालावधि के लिए लोक उद्योगी सेवा घोषित करती है।

[का. अ. अ. 11017/9/97-आई आर (पी एल)]

जे. पी. पति, संयुक्त सचिव

New Delhi the 1st March, 2006

S.O. 999.—Whereas the Central Government having been satisfied that the public interest so requires that in pursuance of the provisions of sub-clause (vi) of the clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour No. S.O. 3449 dated 13-9-2005 the service in Uranium Industry which is covered by item 19 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947) to be a public utility service for the purpose of the said act, for a period of six months from the 15th September, 2005.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a period of six months from the 15th March, 2006.

[P. No. S-11017/9/97-IR (PL)]

J.P. PATI, Jt Secy